

LEGISLATIVE ASSEMBLY DEBATES

WEDNESDAY, 6th FEBRUARY, 1929

Vol. I—No. 7

OFFICIAL REPORT



CONTENTS.

Member Sworn.

Questions and Answers.

Unstarred Questions and Answers.

Election of a Member to the Council of the Indian Institute of Science, Bangalore.

Election of Members for the Committee on Public Accounts.

The Public Safety Bill—*contd.*

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CONTENTS—*contd.*

PAGES

Thursday, 31st January, 1929—

Questions and Answers	311-19
Statement laid on the Table—Purchase of Stores by the High Commissioner for India	...	...	...	319-29
Election of the Panel for the Standing Committee for the Department of Industries and Labour	...	...	...	330
The Code of Criminal Procedure (Amendment) Bill (Amendment of sections 205 and 540A)—Introduced	...	...	...	330-31
The Code of Criminal Procedure (Amendment) Bill (Amendment of section 552)—Introduced	...	...	...	331

Monday, 4th February, 1929—

Questions and Answers	...	...	...	333-66
Short Notice Question and Answer	...	...	...	366-67
Unstarred Questions and Answers	...	...	...	367-82
✓ The Committee on Public Petitions	...	...	...	383
Panel of Chairmen	...	...	...	383
✓ The Workmen's Compensation (Amendment) Bill—Referred to Select Committee	...	...	...	393-99
The Public Safety Bill—Introduced and Discussion on the Motions to refer to Select Committee and to circulate adjourned	...	...	...	399-433

Tuesday, 5th February, 1929—

Questions and Answers	...	...	...	435-39
Election of a Member to the Council of the Indian Institute of Science, Bangalore	...	...	...	440
The Public Safety Bill— <i>contd.</i>	...	...	...	440-90

Wednesday, 6th February, 1929—

Member Sworn	...	...	...	491
Questions and Answers	...	...	...	491-518
Unstarred Questions and Answers	...	...	...	518-19
Election of a Member to the Council of the Indian Institute of Science, Bangalore	...	...	...	520
Election of Members for the Committee on Public Accounts	...	...	...	520
✓ The Public Safety Bill— <i>contd.</i>	...	...	...	520-58

Thursday, 7th February, 1929—

Statement of Business	...	...	...	559
Election of the Committee on Public Accounts	...	...	...	559
The Public Safety Bill—Referred to Select Committee	...	...	...	560-611

Monday, 11th February, 1929—

Questions and Answers	...	...	...	613-62
Unstarred Questions and Answers	...	...	...	662-64
Election of a Panel for the Standing Advisory Committee for the Department of Education, Health and Lands to advise on subjects other than Indian Overseas and Emigration...	...	...	...	665
Election of the Standing Finance Committee	...	...	...

LEGISLATIVE ASSEMBLY.

Wednesday, 6th February, 1929.

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

MEMBER SWORN:

Mr. Thomas Andrew Chalmers, C.S.I., M.L.A. (Assam: European).

QUESTIONS AND ANSWERS.

PREVIOUS SUPPLY TO MEMBERS OF ANSWERS TO STARRED AND UNSTARRED QUESTIONS TO BE PUT IN THE LEGISLATIVE ASSEMBLY.

406. ***Mr. Vidya Sagar Pandya:** (a) Has the attention of the Government been drawn to the inconvenience felt by Members of the Assembly in following the answers given orally to questions by the Government Members in varying degrees of audibility to the non-official Members in different parts of the House, and the great difficulty they experience in consequence in putting supplementary questions?

(b) Are Government aware of the practice of the Government of Madras in printing the oral answers beforehand and placing the same in the hands of Members half an hour beforehand on each day, so as to facilitate supplementary questions, and do the Government of India propose to adopt a similar procedure for the Assembly?

(c) When do Government propose to adopt the suggestion of Mr. C. S. Ranga Iyer to put this House in possession of answers to unstarred questions every day before the House commences business, and of which the Honourable the Home Member had taken note on the 4th September, 1928?

The Honourable Mr. J. Orerar: (a) I am not an authority on acoustics but I think the inconvenience of which the Honourable Member complains has some times been mutual.

(b) The answer to the first part is in the affirmative and to the second part in the negative.

(c) I would refer the Honourable Member to my reply to question No. 158 on the 29th January last.

Mr. Vidya Sagar Pandya: In view of the system having worked so well in the Madras Presidency—and it was in fact followed even in the Minto-Morley Reforms time,—will Government kindly consider the question again and, if not, why not?

The Honourable Mr. J. Orerar: The main reason why the suggestion made by the Honourable Member would be inconvenient to Government is that it is important, in replying to questions which are to be answered orally—and that applies also to unstarred questions—for the Government to be in a position to give the most recent information on the subject. If the questions were printed up beforehand, that would of course be impracticable.

Mr. A. Rangaswami Iyengar: May I know, Sir, whether the rule about printed answers is going to apply to starred questions that have become unstarred by reason of the absence of the Member putting the starred questions?

The Honourable Mr. J. Orerar: They are printed in due course.

Mr. A. Rangaswami Iyengar: Is there any objection to their being printed and made available to Members immediately after they are answered here?

The Honourable Mr. J. Orerar: They go into the proceedings of the House.

Mr. A. Rangaswami Iyengar: Yes, but what is the difficulty in supplying copies to Members of the answers which might otherwise have been orally delivered in the House?

The Honourable Mr. J. Orerar: I venture to suggest the most convenient solution of that particular difficulty would be that Honourable Members who have put down questions on the paper should be present in the House when they are answered.

Mr. A. Rangaswami Iyengar: I am asking why the oral answer should not be available to other Members besides the man who put the question, or why it should be available a fortnight thereafter.

The Honourable Mr. J. Orerar: I think that any Honourable Member who wishes to be placed in possession of answers to questions which have not received an oral reply, owing to the absence of the Honourable Member who has given notice of the questions will always be able to obtain them on application to the Assembly establishment.

Mr. Jannadas M. Mehta: Is the Honourable Member aware that, in the Bombay Council, it is generally the practice that replies are also provided in advance to Honourable Members? Is there any objection to following it here?

The Honourable Mr. J. Orerar: I have no specific information on the point.

Mr. Jannadas M. Mehta: If it is so, is there any objection to our copying it? It would really be to the advantage of Honourable Members.

ANNUAL ISSUE OF THE INCOME-TAX MANUAL.

407. ***Mr. Vidya Sagar Pandya:** (a) Are Government aware that the Income-tax Manual, Vol. I (bound in cardboard), was last published (2nd Edition) in 1925 at a price of Rs. 1-4-0 and no subsequent edition has been published, though 13 correction slips, at a price of As. 3 each, have been issued?

(b) Have Government noticed that the price of correction slips is almost double the price of the volume?

(c) What is the total number of amendments made in the Income-tax Rules, 1922, by the Central Board of Revenue in exercise of powers conferred by section 59 of the Indian Income-tax Act, 1922 (XI of 1922), since the Act was passed?

(d) In view of the numerous amendments made in the Income-tax Rules and the great demand for the Income-tax Manual, are Government prepared to order the issue of such books annually?

The Honourable Sir George Schuster: (a) Yes, except that the total number of correction slips subsequently published is 20 and not 13.

(b) Yes, except that the total price of correction slips is three times and not double the price.

(c) 53.

(d) It has already been decided to issue a reprint of the Manual in future annually, and the third edition is in the Press.

FLUCTUATIONS IN PRICE OF CERTAIN GOVERNMENT PUBLICATIONS.

408. ***Mr. Vidya Sagar Pandya:** (a) Have Government noticed that the prices of some of the Government publications under the heading "Trade, Commerce and Industries" fluctuate widely for the same book from year to year, as for instance the price of "Statistical Tables relating to Banks in India with an Introductory Memorandum", which have varied as under:

Issue.	Year.	Pages.	Price without postage.		
			Rs.	A.	P.
1st	.. 1913-14	12	0	4	0
2nd	.. 1915	19	0	4	0
3rd	.. 1916	41 with map.	1	12	0
4th	.. 1917	43 " "	1	12	0
5th	.. 1918	40 " "	1	12	0
6th	.. 1919	32 without map.	1	12	0
7th	.. 1920	33 " "	2	0	0
8th	.. 1921	not known.	2	0	0
9th	.. 1922	26 without map.	0	8	0
10th	.. 1923	37 " "	0	9	0
11th	.. 1924	37 " "	0	10	0
12th	.. 1925	37 " "	0	11	0
13th	.. 1926	40 " "	0	12	0

(b) Will the Government be pleased to state the reasons for such wide fluctuations?

(c) What steps do Government propose to take to steady the prices?

The Honourable Sir Bhupendra Nath Mitra: (a) to (c). The sale price of the publications of the Government of India is based on the actual cost of production, plus the overhead charges. The fluctuations in the price of a publication are due to the number of copies printed, which depends on the demand made by the public, the number of pages in the publication, and the time taken on author's corrections which naturally vary from year to year. Government do not consider it necessary to take any action to modify the principles which determine the sale price of their publications.

Mr. Vidya Sagar Pandya: Sir, if the Honourable Member goes through the list I have given he will see that, although there is not much fluctuation in the matter contained therein, these publications have varied in price from four annas to two rupees. How does the Honourable Member explain such a wide fluctuation when the matter practically remains the same.

The Honourable Sir Bhupendra Nath Mitra: That would mean my repeating the answer which I have already given to the question, and which I am sorry my Honourable friend had not listened to carefully.

Mr. Vidya Sagar Pandya: No, Sir, I have listened to the answer carefully, but applying the answer to the Statistical Tables relating to Banks according to the figures quoted by me the price of the publication has varied as much as from four annas to two rupees, going down to 12 annas.

The Honourable Sir Bhupendra Nath Mitra: I shall read, for the Honourable Member's information, the answer which I have already given him:

"The fluctuations in the price of a publication are due to the number of copies printed which depends on the demand made by the public, the number of pages in the publication and the time taken on author's corrections which naturally vary from year to year."

PRICE OF THE OFFICIAL REPORTS OF THE LEGISLATIVE ASSEMBLY DEBATES.

409. ***Mr. Vidya Sagar Pandya:** (a) Are Government aware that, while the official reports of the Legislative Assembly Debates are issued at As. 5 per copy, similar reports of the debates of the Madras Legislative Council are sold at only As. 2 per copy? Will the Government be pleased to explain why two and a half times as much is charged for the reports of the Assembly, while the amount of work involved is almost the same or even less?

(b) Are Government prepared to consider the question of reducing the price of the reports of the Assembly Debates?

The Honourable Sir Bhupendra Nath Mitra: I am making an enquiry into the matter and will communicate the result to the Honourable Member in due course.

Mr. Vidya Sagar Pandya: Regarding part (b) will the Honourable Member make also enquiries regarding the Reports of the Council of State?

The Honourable Sir Bhupendra Nath Mitra: I shall take note of that, Sir.

PROHIBITION BY THE GOVERNMENT OF INDIA OF THE IMPORT OF FURTHER COPIES OF THE BOOK "MOTHER INDIA".

410. ***Mr. Vidya Sagar Pandya:** (a) Is it a fact that some of the important book-sellers in India have been asked by the Government not to import any further copies of Miss Mayo's book "Mother India," and if any copies are left unsold by a certain date they will be taken possession of by the Government?

(b) When did the date of notice of taking charge of the copies expire and how many copies have thus been secured by the Government and how do they propose to dispose of them?

The Honourable Mr. J. Orerar: (a) No.

(b) Does not arise.

BOOK ENTITLED "POLITICS IN OIL" CONFISCATED BY THE GOVERNMENT OF INDIA.

411. ***Mr. Vidya Sagar Pandya:** With reference to the answers given by the Honourable the Home Member to starred question No. 868 on the 11th September, 1928, on the confiscation of the book entitled "Politics of Oil" will Government be pleased to place a copy of it in the Library of the Legislative Assembly?

The Honourable Mr. J. Orerar: My previous answer showed that, if any Honourable Member is interested in this book, there is nothing to prevent him from obtaining a copy. I may add for the information of the Honourable Member that the price is one shilling.

LOTTERIES SANCTIONED BY THE GOVERNMENT OF INDIA.

412. ***Mr. Vidya Sagar Pandya:** (a) Have Government granted permission for a lottery under the name of "The Golden Ballot" in aid of the Convent School (Imperial City, New Delhi)?

(b) Will Government please state how many lotteries have been sanctioned by the Government of India and the Local Governments in India during the last three years?

(c) Will Government kindly furnish a list showing in each case:

- (1) the names of the promoters,
- (2) the objects for which the lottery was promoted,
- (3) the amount of each lottery, and
- (4) the conditions on which the permission was granted?

The Honourable Mr. J. Orerar: (a) No.

(b) None, so far as the Government of India are concerned. I have no information whether Local Governments have sanctioned any lotteries, but I should regard it as extremely improbable. The policy of the Government of India and Local Governments has consistently been opposed to the encouragement and advertisement of lotteries.

(c) Does not arise.

Mr. Vidya Sagar Pandya: May I know from the Honourable Member how these lottery tickets have been issued and whether the lottery is authorised. I have got with me the tickets as well as the other literature. I would like to know whether it is unauthorised, and whether the Government will prosecute those who have issued the tickets without the permission of Government. If the Honourable Member wants them, I will pass on all these papers to him.

The Honourable Mr. J. Orerar: I understand the Honourable Member is referring to a lottery under the name of the Golden Ballot Lottery. The matter has been dealt with by the Local Government.

Diwan Chaman Lal: May I ask the Honourable Member whether it is not a fact that what is known as the Golden Ballot does not come within the purview of the law as a lottery?

The Honourable Mr. J. Oroner: No, Sir; that has not come to my notice; but if the Honourable Member will give me any reasons for supposing that it does, I shall be very glad to take it into consideration.

Mr. Vidya Sagar Pandya: Sir, if the permission has been refused by the Local Government, will the Government prosecute the parties issuing these tickets? (Laughter.)

REVISION OF THE INDIAN COMPANIES' ACT.

418. ***Mr. Vidya Sagar Pandya:** Have Government received the copies of the Companies' Act passed by Parliament in August last? What steps have Government taken to consider the revision of the Indian Companies' Act as stated by Government in reply to the question of the Honourable Sir Phiroze Sethna in the Council of State on 17th September last?

The Honourable Sir George Rainy: Copies of the English Companies Amendment Act, 1928, have been received and the question of the revision of the Indian Companies Act, 1913, is now under consideration.

Mr. Vidya Sagar Pandya: May I know within what time the matter will be placed before the House for consideration?

The Honourable Sir George Rainy: It could hardly come before the House for consideration before we introduce a Bill, but quite clearly there must be some preliminary investigation, and what we are occupied with just now is how that preliminary investigation should be undertaken.

AMOUNT OF SILVER SOLD BY THE GOVERNMENT OF INDIA BETWEEN 1ST APRIL, 1927 AND 31ST DECEMBER, 1928.

414. ***Mr. Vidya Sagar Pandya:** (a) What is the amount of silver sold by the Government of India from 1st April, 1927, to 31st December, 1928, and at what price?

(b) To what extent have the recommendations of the Hilton Young Commission in this respect been carried out or deviated from?

(c) To what extent has the programme for holdings of silver in the paper currency, as laid down in the last Reserve Bank Bill, been adhered to or deviated from?

The Honourable Sir George Schuster: A similar question was asked by the Honourable Sir Phiroze Sethna and answered by the Financial Secretary in the Council of State on the 17th September, 1928. As the Financial Secretary said on that occasion, the silver sold in the financial year 1927-28 amounted to 9.19 million fine ounces: but the Government of India are not prepared to give information regarding subsequent sales as to do so would not be in the public interest.

For the reason just given, I am not at liberty to answer parts (b) and (c) of the Honourable Member's question in such a way as to disclose the quantities of silver sold or to be sold. And in any case I think the Honourable Member's purpose will be sufficiently served by the information which can be obtained from the weekly abstracts of the accounts of the Currency Department as published during 1927-29. As the Financial Secretary said in the Council of State, however, the sales of silver should not be taken at the moment as indicating anything more definite than that

the silver holdings in the Paper Currency Reserve are too high. On the 22nd January, 1929, they stood at about 99 crores, i.e., 14 crores more than the figure of the 80th April 1926, on which the Currency Commission based their proposals.

FIXING THE RATE OF EXCHANGE FOR THE CONVERSION OF LEAVE ALLOWANCE.

415. ***Mr. Vidya Sagar Pandya:** Will Government be pleased to state what steps have been taken to re-examine the question of fixing the rate of exchange for the rupee for the conversion of leave allowance, mentioned in the Financial Rules 89 and 90, as promised by the Honourable the Finance Member in answer to starred question No. 639 of Mr. Sarabhai N. Haji, on the 18th September, 1928?

The Honourable Sir George Schuster: The matter has been re-examined and the results of the re-examination are now engaging my attention. The decision of the Government of India will shortly be taken.

WORKING HOURS IN THE SAVINGS BANK DEPARTMENT OF THE GENERAL POST OFFICE, CALCUTTA.

416. ***Mr. Vidya Sagar Pandya:** Will Government be pleased to lay on the table a statement showing the result of their enquiry into the question of the working hours of the officials of the Savings Bank Department of the General Post Office, Calcutta, to which attention was drawn by Rai Bahadur Tarit Bhushan Roy in his starred question No. 740 of 20th September, 1928?

The Honourable Sir Bhupendra Nath Mitra: The enquiries are still in progress. The question of communicating to the House the result of the enquiries will be duly considered when the enquiries have been completed.

ADMINISTRATION OF THE IMPERIAL BANK OF INDIA.

417. ***Mr. Vidya Sagar Pandya:** In view of the state of affairs in the administration of the Imperial Bank of India, as disclosed in starred question No. 199 by Mr. Lalchand Navalrai on the 6th September, 1928, do Government propose to take steps to secure powers under the renewed agreement to take cognisance of such affairs?

The Honourable Sir George Schuster: With reference to the first part of the Honourable Member's question, I must point out that it is not a case of facts having been disclosed by Mr. Lalchand Navalrai's question in this Assembly. Certain allegations were made in that question, but so far as Government are concerned, these allegations have been in no way established. This being the case, the second part of my Honourable friend's question does not really arise; and moreover, since the existing agreement with the Imperial Bank of India does not terminate until 1931, the question of its renewal or of the conditions which might be attached to such renewal has not yet become a practical issue.

Mr. Vidya Sagar Pandya: Sir, if sufficient and reliable evidence is assured to establish those facts, will the Government undertake to make the inquiries, or will they simply say, as before, that the Imperial Bank of India being a private institution, the Government cannot take any action in the matter?

Mr. President: That is a hypothetical question.

Mr. Vidya Sagar Pandya: No, Sir. I am prepared to furnish evidence in case the Government is prepared to make the inquiries.

(1) REVIVAL OF THE RESERVE BANK BILL.

(2) TERMS OF RENEWED AGREEMENT WITH THE IMPERIAL BANK OF INDIA.

418. ***Mr. Vidya Sagar Pandya:** (a) Will Government be pleased to state whether they propose to bring any Reserve Bank Bill before the Legislature in the near future?

(b) In view of their agreement with the Imperial Bank of India terminating in a short period, will Government be pleased to state whether this House will be given an opportunity to discuss the terms of the renewed agreement with the Imperial Bank before the agreement is actually made?

The Honourable Sir George Schuster: (a) If I were to confine strictly to answering the question put, the reply would be that the Government has not at present any plan for bringing a Reserve Bank Bill before the Legislature in the near future. I think, however, that it might be more acceptable to this Assembly if I were to give a more informative reply, and with your permission, Sir, I propose to take this occasion to make a general statement as to the Government's position in this matter.

The Government remains convinced that the formation of a Central Bank, to perform the functions originally proposed, is a desirable object, in order that India may be equipped with a mechanism for the control of currency and credit on the lines approved by modern experience and worthy of India's place among the great civilisations of the world. At the same time the Government can only proceed, subject to its being satisfied as to two conditions: first, that the organisation of the Bank is to be securely settled on sound lines; secondly, that there is an adequate measure of general support among the representatives of public opinion for the proposals. I am hopeful that, within the not too distant future, both these conditions may be fulfilled. In the meanwhile we must not remain merely passive or idle. Full advantage ought to be taken of any interval which may occur until the time is ripe for reviving proposals for a Reserve Bank. It would indeed be an unfortunate result if, when that time arrived, we were to find ourselves no further advanced than the point at which the last discussions were broken off.

It is partly from this standpoint that I have approached the question of inaugurating an enquiry into the general Banking organisation of the country—a demand for which has already been pressed for some time from many quarters. The two subjects are indeed intimately connected; for a Central Bank is essentially the crown to the whole structure of banking in its widest sense, and, if it is to be well designed to meet the practical requirements of the country, it must be adapted to the foundation and lower storeys on which it rests. The more we know about the foundations and base of the structure and the more secure and well-designed they are, the better shall we be able to plan the crown of the building.

I think, Sir, that architectural similes may be expected to come home with special force to us who live in Delhi, and as we come daily to this great building in which we are at present sitting, we observe the unfortunate effect produced by the spectacle of a small dome surmounting a building to which it is not adapted.

I may, therefore, take the present occasion to inform this Assembly what I propose as regards the inauguration of a Banking Enquiry.

I have already discussed the matter in a provisional way at the annual meetings of the Federation of Indian Chambers of Commerce and of the Associated Chambers of Commerce, and I have arranged with my Honourable friend, Mr. Birla, on behalf of the former and with Sir George Godfrey on behalf of the latter to hold a joint meeting with the representatives of these two organisations in Delhi on February the 16th to discuss a plan of campaign for proceeding with the Enquiry. Further, before this meeting takes place, I have invited the leaders of the various political parties in this Assembly to confer with me, so that I may have the advantage of their opinions, and be assured that the lines on which I propose to proceed meet with approval from all sides. As soon as a definite plan is prepared, I will take steps to see that this Assembly is informed.

I think that this enquiry, whatever practical measures may result from it, will at least be of great value in throwing light on the actual situation throughout the country and in instructing public opinion as to the main requirements. I regard it as a valuable, and I might almost say essential, preliminary to a renewal of the proposals for the formation of a Reserve Bank.

(b) As the present agreement with the Imperial Bank of India does not terminate until 1931, the Government have not yet begun seriously to consider the question of terms on which it would be renewed. If the Honourable Member will ask this question again this time next year I hope to be able to give him a more informative reply.

Mr. Vidya Sagar Pandya: In view of such long answers and statements being read out, will the Honourable the Home Member consider the desirability of printing such long answers and placing them on the table of the House half an hour before the meeting?

Mr. Jamnadas M. Mehta: Is that the considered judgment of the Government of India now, that the Reserve Bank is the crown and apex, and the banking inquiry an essential preliminary?

The Honourable Sir George Schuster: Sir, if the Honourable Member will, when the report of the proceedings is published, very carefully read what I have said, he will observe that I have been cautious in the choice of my words. I have not said that it is an essential preliminary to the revival of the Reserve Bank proposals.

Pandit Motilal Nehru: You did say that.

The Honourable Sir George Schuster: I said that in my own view it was "a valuable, I might almost say an essential, preliminary", but I have not said that the revival of the Reserve Bank proposals must await any particular event. I have tried, as far as possible, to express my own views on the question, which are that the two sides of the inquiry, I mean the two sides of banking organisation, are essentially parts of a single whole, and that it is hardly possible to design a Reserve Bank without its being adapted to the general structure of banking in the country. I think, therefore, that the more we know about the general structure, the better shall we be able to design a Central Bank fitted to the needs of this country.

Mr. A. Rangaswami Iyengar: Is that the Honourable Member's present view, and is it the view of the Government of India that they proceeded in wrong way in introducing the Reserve Bank Bill?

The Honourable Sir George Schuster: I am afraid I did not hear the question.

Mr. A. Rangaswami Iyengar: Is it then the considered judgment of the Honourable the Finance Member and of the Government of India that the Government of India did not do the right thing in introducing the Reserve Bank Bill?

The Honourable Sir George Schuster: I am not concerned with the past; I am looking to the future.

Mr. A. Rangaswami Iyengar: May I know, Sir, when this Banking Enquiry is likely to start its labours?

The Honourable Sir George Schuster: If the Honourable Member will ask that question after the 16th of February, I will answer him.

Mr. Jamnadas M. Mehta: The Honourable Member just said that he is not concerned with the past, but it is difficult to avoid the past, and it has been the considered judgment of the Government of India.

Mr. President: What is the Honourable Member's question?

Mr. Jamnadas M. Mehta: I am putting it, Sir. It has been the considered judgment of the Government of India that the Reserve Bank Bill was not merely the Crown, as the Honourable the Finance Member just stated, using an architectural simili but a great step forward towards the goal. This is what Sir Basil Blackett said on the 25th of January 1927:

"That the establishment of a Reserve Bank for India will be an enormous step forward in the development of India's financial and monetary machinery and will, I think, assist that gradual and silent evolution of India's economic life which promises to bring higher opportunities of life and higher standards of living to India".

Sir, if that was the millennium, why is it now going to be relegated to the future. We are anxious to have a higher standard of living.

Mr. A. Rangaswami Iyengar: May I know, Sir,

Mr. President: One by one.

Mr. Jamnadas M. Mehta: Why should the millennium be delayed in the case of the people of this country, if they can now get a higher standard of living by the starting of a Reserve Bank?

The Honourable Sir George Schuster: I agree with all those sentiments. All that I have said is that, when we have more knowledge of the structure of banking, we may be better able to design a Central Bank. I think, Sir, that I have given Honourable Members very good value for their money and I do not propose to answer any further questions.

Mr. A. Rangaswami Iyengar: Is the Honourable the Finance Member aware that at the time when Mr. Haji moved a Resolution for a banking inquiry, the Government of India, through their Finance Member, said that the Reserve Bank Bill is a preliminary to the development of banking conditions, as was asked for in that inquiry?

Sir Victor Sassoon: Is the Government of India not allowed to advance or alter its opinion from time to time or from day to-day?

Mr. A. Rangaswami Iyengar: Let them say so.

Mr. Jambadas M. Mehta: Will the Honourable the Finance Member tell us what he considers to be a sound Central Bank that he visualises in his answer?

Several Honourable Members: It is very unfair.

Mr. President: The Honourable Member must resume his seat if he wants an answer.

Mr. Jambadas M. Mehta: As there is no answer from Government, may I ask another question? Will there be a full opportunity given for discussion of the Imperial Bank affairs next year?

The Honourable Sir George Schuster: Sir, I have already answered that question.

IMPORT OF VEGETABLE GHEE.

419. ***Mr. Vidya Sagar Pandya:** In view of the replies given to questions Nos. 54 and 87 of Khan Bahadur Sarfaraz Hussain Khan on the 4th September last, will Government be pleased to lay on the table the views of the Local Governments on the import of vegetable *ghee* and the use of vegetable *ghee* to adulterate pure *ghee*, and will Government be pleased to make a statement as to what steps they propose to take in the matter?

The Honourable Sir George Rainy: The views of some Local Governments are still awaited.

EMPLOYMENT OF INDIANS IN COMPANIES GRANTED CONCESSIONS OR MONOPOLIES BY THE GOVERNMENT OF INDIA.

420. ***Mr. Vidya Sagar Pandya:** In view of the policy promulgated in answer to starred question No. 503 of Mr. Lalchand Navalrai, on the 12th September, 1928, will Government be pleased to:

- (a) furnish the House with a statement of grant of monopolies or concessions granted by Government to companies incorporated and registered in India,
- (b) state what is the rupee capital of such companies,
- (c) state what is the proportion of Indian Directors, and
- (d) state what facilities are afforded by them for training Indian apprentices by such companies, in each case?

The Honourable Sir Bhupendra Nath Mitra: The information desired by the Honourable Member is not readily available, but I shall endeavour to furnish him, as soon as possible, with such information as it may be possible for me to collect in regard to the monopolies or concessions granted by the Government of India to companies incorporated and registered in India.

REPRESENTATION OF STATE RAILWAYS ON EUROPEAN CHAMBER OF COMMERCE.

421. ***Mr. Vidya Sagar Pandya:** Will Government be pleased to state what conclusions they have arrived at in the matter of representation of State Railways on European Chambers of Commerce in view of the

assurance given by Mr. A. A. L. Parsons to consider the matter in answer to starred question No. 508 of Mr. K. C. Neogy, on the 12th September, 1928?

Mr. A. A. L. Parsons: The conclusions of Government were that it was desirable that the Agents of Railways, both in the interests of their railways and of trade generally, should be members of associations representing important interests in the commercial life of the country. The Indian Chamber of Commerce was informed that the Agents of the East Indian and Eastern Bengal Railways were members of the Bengal Chamber of Commerce by invitation, and that similar invitations from other representative associations of importance would always receive the cordial consideration of the Railway Board.

RENTS OF RESIDENCES OF GOVERNMENT OFFICIALS IN SIMLA.

422. ***Mr. Vidya Sagar Pandya:** Will Government be pleased to lay on the table the results of their examination of the question of rents of Government officials' residences in Simla, as promised in answer to question No. 395 of Mr. Gaya Prasad Singh, on the 18th September, 1928?

The Honourable Sir Bhupendra Nath Mitra: I lay on the table a statement giving the information desired by the Honourable Member.

As promised in reply to a question put by Mr. Gaya Prasad Singh in September last, Government have examined the classification and rents of Government officials' residences in Simla. As a result of this examination, they have come to the conclusion that no change is called for in the existing classification. They consider, however, that it is desirable that a revaluation of these houses should be made with a view to rents being reassessed and arrangements will be made for such a revaluation during the coming summer.

2. The present classification of residences was determined in 1925 when they were divided into six classes A to F, the proportion of residences to officers in each class being the same. From time to time slight modifications in classification have been found necessary as improvements have increased the value of different properties and have brought them into a higher class. The present position is that judged by values alone out of a total of 101 residences only 4 are out of class. Government are satisfied that the method of classification is the fairest possible, and as changing residences from one class to another may give rise to considerable inconvenience they do not propose at present to alter the classification of these four.

FREIGHT CHARGES ON CERTAIN ARTICLES.

423. ***Mr. Vidya Sagar Pandya:** Will Government be pleased to make a statement as to the result of their investigations into the examination of the complaints about the freight charges on certain articles, raised in the speech of Mr. Mukhtar Singh on the 27th February, 1927, and to which he had again drawn the attention of the Government in his starred question No. 737 of the 20th September, 1928?

The Honourable Sir George Rainy: A reply has been sent to Mr. Mukhtar Singh and I place a copy of the reply on the table.

FROM THE SECRETARY, RAILWAY BOARD, No. 1403-T., DATED NEW DELHI, THE 5TH FEBRUARY, 1928, TO CHOWDHRY MUKHTAR SINGH, M.L.A.

Quotation of rates for development of indigenous industries.

The various points raised in the course of your remarks during the debates on the Railway Budget in February 1928 in connection with the policy followed by Railways towards the development of indigenous industries have been carefully examined by the Railway Board, and I am directed to communicate the following observations thereon.

2. *Rates for Shakker as compared with Sugar.*—In the Indian Railways General Classification of Goods, shakker is indexed as a sub-head of sugar and is charged at the rates applicable to sugar.

With regard to the suggestion that shakker should properly be charged as for jagree and not as sugar, the Board have ascertained that white shakker is the commonly accepted vernacular term for sugar, it is correct that in certain parts of the country, such as the western districts of the United Provinces, the word 'shakker' specifically denotes a preparation from jagree, and is in fact ground or powdered jagree prepared by a particular process.

As far as the Board have been able to ascertain, Railways have hitherto generally interpreted the term 'shakker' as the vernacular name for sugar in general, and not a specific product. In view of the facts that have now been brought to light, the Board agree that the claim that shakker proper should, for purposes of railway freight, be charged as jagree is a reasonable one. As the amendment of the classification to secure this result concerns all Railways, and must be dealt with in the first instance by the Indian Railway Conference Association, the Board will forward the correspondence and their views on this subject to that Association for action. In order to prevent any misunderstanding as to the actual meaning of the term 'shakker', it may of course, be necessary when effecting this revision to qualify the entry to read 'Shakker (ground or powdered jagree, not sugar)'. In the meantime, instructions are being issued to the East Indian and North Western Railways, over which it has been ascertained that shakker proper is regularly transported, to give effect to the revised basis of charge at the earliest possible date. The Board are, however, satisfied that there has been no intention on the part of Railways to penalise the production of shakker proper.

3. *Special rates for Carew & Co.'s Sugar.*—It is correct that Messrs. Carew & Co.'s sugar factory at Rosa had the benefit of reduced rates from the administration of the late Oudh & Rohilkhand Railway. These rates were, however, withdrawn by the East Indian Railway Administration in February, 1927, and since then Messrs. Carew & Co.'s sugar has been charged at 1st class rates, as applicable to other traffic.

4. *Rates for Jagree as compared with Sugar.*—It is correct that, prior to the introduction of the reduced rates for jagree, jagree and sugar were for many years charged on the principal Railways at the same rates, viz., 1st class at owner's risk. Last year, however, reduced charges for jagree were adopted on the State managed railways as well as on certain Company managed railways. These reductions cannot, the Board think, have been present to your mind at the time you spoke, for they are by no means insignificant. On the contrary, the estimated contraction in revenue consequent on the introduction of the reduced rates on the four State managed railways alone amounted to Rs. 10 lakhs, and to this must be added the amount involved on the Company managed lines that adopted the same basis of charge. Taking the East Indian Railway, the following examples will illustrate the extent of the reduction effected:

Miles.	Rates per maund for jagree.		
	Former.	Present.	Percentage reduction.
	Rs. a p.	Rs. a p.	
200	0 6 7	0 5 3	20 per cent.
300	0 9 9	0 7 1	27 "
400	0 12 11	0 8 2	37 "
500	1 0 1	0 9 3	42 "
600	1 3 3	0 10 4	46 "
700	1 6 5	0 11 3	50 "

5. *Sugar cane juice is classified 4th class as compared with Sugar 2nd class.*—The Railway Board are of opinion that had there been any demand on railways for the

movement of sugar cane juice (which you admit, however, is a commodity hardly likely to be transported), and if any scope existed for the development of such traffic by reductions in rates, action would have been taken.

The Indian Railway Conference Association will be requested, however, to review and, if necessary, to revise, the existing classification for sugar cane juice.

6. *Rates for sugar cane for sowing purposes.*—Prior to the recent revision in parcels rates, the rate for sugar cane by passenger train from Poona to Meerut (1,018 miles) was Rs. 8-13-0 per maund, at which rate the charge for a maund and a half of sugar cane cuttings would be Rs. 13-4-0. It is presumed, therefore, that the consignment of sugar cane cuttings referred to by you was booked by passenger train at full parcels rates.

In this connection, however, attention is invited to the following provision in the Indian Railways Coaching Tariff :

“Rule 135.—List of articles charged at quarter parcels rate at owner's risk; the charge must be prepaid.
Perishable seeds (such as potato seeds), seedlings, sugar cane cuttings and plants booked by or for the Agricultural Department. A certificate to the effect that the articles are intended for agricultural purposes only and not for consumption as food, signed by a Gazetted Officer of the Agricultural Department must be produced when a consignment is tendered for despatch.”

Had this import of sugar cane cuttings been made under a certificate of the Agricultural Department in accordance with the above rule, the rate per maund from Poona to Meerut would have been Rs. 2-3-0 and the total charge on the consignment Rs. 3-5-0 only. Further, the charge for a maund and a half of sugar cane cuttings booked through the Agricultural Department from Poona to Meerut at the rate for parcels since introduced on Indian Railways is Rs. 2-14-0 only.

7. *Want of facilities for the movement of Fresh Fruit traffic. Refrigerated Transport.*—There is ample evidence to establish that wherever a demand for the movement of fresh fruit in appreciable quantities has arisen Railways have met this by the introduction of reduced rates as well as the provision of special facilities for transport. The East Indian Railway, for instance, has a large number of special rates for fresh fruit traffic the bulk of which consists of the mango traffic from North Bihar to Calcutta, via Mokameh Ghat.

The special rate from via Mokameh Ghat to Howrah is -5/- per maund, owner's risk, as compared with the ordinary class rate of -9/4 per maund, a reduction of 46 per cent., and in order to handle this heavy traffic during the season a special service of fast goods trains is maintained. All Railways have standing arrangements for the expeditious handling of fresh fruit and other perishable traffic, which in the matter of transport arrangements receive preferential treatment over other parcels and goods traffic.

In the case of passenger train transport fresh fruit is charged on all railways at half parcel rates.

In regard to the special question of facilities for refrigerated transport, I am directed to invite your attention to para. 314 on page 378 of the Report of the Royal Commission on Agriculture in India. For facility of reference, the paragraph is reproduced below :—

“The development of fruit and milk traffic.—It is further suggested that the railway authorities should take active steps to encourage the development of traffic in certain kinds of agricultural produce. Fruit and milk were the two products most prominently mentioned in this connection. It does not appear to us that the railways can justly be accused of any lack of enterprise in respect of either of these or of any unwillingness to meet their special transport requirements. Ice-cooled vans for the carriage of the more delicate kinds of fruits have already been brought into use, chiefly on the N. W. Railway. The extensive employment of refrigerator or cold-storage vans for this form of traffic must depend on the extent to which it develops and on the establishment of cold-storage depots at suitable centres. We trust that railway administrations will continue to pursue a liberal and progressive policy in providing the facilities required. In the initial stages of the development of industry such as fruit growing, the agricultural departments should interpret to the railway authorities the requirements of the growers in the matter of facilities on the railways, such as special vans, rapid transit, and accommodation at terminal points. When this is done, and provided it is

clear that the venture offers firm prospects of profitable traffic within a reasonable period of time, we have no doubt that railway authorities will do their best to meet the needs of the industry".

It may be mentioned that more than ten years ago the E. I. Railway administration put into service six specially constructed refrigerator vans as an experimental measure. The scheme was given an extended trial, but had eventually to be abandoned owing to want of patronage on the part of the public. The vans were subsequently transferred to the N. W. Railway since when they have been in regular commission for the fresh fruit traffic from Quetta and other points, to Calcutta, Bombay, etc.

Provided evidence of the necessary private enterprise was forthcoming, the Railway Board would be fully prepared to re-open the question but you will readily appreciate that it would be inadvisable for Railways to undertake the great expense of providing highly specialised equipment and facilities unless there were reasonable prospects of the venture being a success.

8. *Rates for Sulphuric Acid in connection with the manufacture of Sulphate of Ammonia.*—Some misunderstanding appears to have arisen in respect to the statement that the indigenous production of sulphate of ammonia in the coal fields has been retarded by the high rates charged on sulphuric acid. Sulphate of ammonia is manufactured as a bye-product in the coking plants at Tatanagar, Kulti, Barakar, Asansol, Baraee, Jherriah and Giridih, where the necessary sulphuric acid manufacturing plants have been installed. The raw material used for making sulphuric acid at these centres is imported sulphur, so that there cannot possibly be any question of the rates on sulphuric acid affecting the outturn of sulphate of ammonia.

The statement that "the railways have put up the rates on sulphuric acid while on the other hand they have reduced the rates on manure and sulphate of ammonia" is not in accordance with the Railway Board's information and they would be glad to be furnished with specific details relating to the alleged increase in the rates on sulphuric acid.

9. *Rates for Bone Meal.*—In regard to the question of bone meal, I am directed to draw your attention to para. 91 page 92 of the Report of the Royal Commission on Agriculture in India.

Bone Meal despatched in the form of superphosphate is automatically treated as manure, and gets the benefit of the special reduced scale of charges applicable to manures. Where *bona fide* demands for the consumption of Bone Meal as a manure exist, the concession rates for manure are applied, as for instance on the E. B. Railway in the case of bone meal for the tea gardens.

10. *Rates for Cigarettes, Bidi Leaves and Tobacco.*—The classification for these articles is as follows:—

	Railway risk.	Owner's risk.
Biddy leaves (small consignments).	6	—
Biddy leaves (wagon loads, subject to a minimum weight for charge of 100 maunds per wagon in bookings from stations on the broad gauge and of 81 maunds per wagon in bookings from stations on the metre or narrow gauge).	6	4
Tobacco, country, manufactured	6	4
Tobacco, country, unmanufactured (which includes biddy tobacco)	4	..
Cigarettes (small consignments).	6	..
Cigarettes (large consignments subject to a minimum weight for charge of 100 maunds per consignment and to a minimum distance for charge of 400 miles).	6	4

No special rates are quoted for imported cigarettes from the ports.

The railway risk classification for biddy leaves is higher than for country tobacco as biddy leaves give a very poor wagon load as compared with tobacco. It will be seen, however, from the details of the classification given above that when a certain minimum weight is paid for consignments of biddy leaves are charged at the same classified rate as applies for tobacco. Even under this arrangement the charge for biddy leaves is less than for tobacco when considered in relation to the wagon space occupied.

11. *Rates for Fresh Milk and Condensed milk.*—Fresh milk and condensed milk by goods train are classified the same, viz., 6th class at railway risk and 4th class at owner's risk, but as far as fresh milk is concerned the classification is virtually inoperative since this is not a class of traffic that moves by goods train. Fresh milk is handled by passenger trains, and on railways generally is charged at half parcels rates whereas condensed milk is charged at full parcels rates.

The East Indian Railway charge milk by passenger train at special reduced rates, and the following is a comparison of the rates for fresh and condensed milk by passenger train as also the rates for condensed milk by goods train on that railway.

Miles.	Fresh milk. (Passenger Train)	Condensed milk.	
		Passenger.	Goods.
	Rs. a. p.	Rs. a. p.	Rs. a. p.
25	0 2 0	0 5 0	0 2 1
58	0 3 0	0 10 0	0 3 4
100	0 5 0	1 4 0	0 5 8
200	0 7 0	2 4 0	0 10 10
400	0 11 0	3 7 0	1 5 2
600	0 15 0	4 15 0	1 15 6
800	1 3 0	6 7 0	2 9 10

It will be observed that the rates for fresh milk are very substantially lower than the rates for condensed milk by both goods and passenger trains.

Moreover to facilitate the carriage of market produce, the East Indian and Eastern Bengal Railways also issue Market Vendor's Monthly tickets at specially reduced fares, also Market Vendor's return tickets, to cover the free conveyance by passenger train of 1½ maunds of fresh milk per ticket holder per trip, an unlimited number of journeys being allowed each day in the case of Market Vendor's Monthly tickets.

In view of these facts there is no justification for the allegation that Railways discriminate in favour of condensed milk to the prejudice of the dairy industry.

12. *Rates for Grain and Seeds.*—The Railway Board do not consider that any argument is necessary to establish that low rates for grain and seeds are an economic necessity in the mutual interests of the producers, the consuming public and the Railways. In so far as the export trade in particular is concerned, it is all to the advantage of the Indian producer that he should be enabled to sell his produce in the competitive markets of the world at favourable prices.

The Railway Board are similarly unable to agree with the view that the rates for grain and seeds are at an unremunerative level, and the following table comparing the receipts per ton mile for long distances with the average cost per ton per mile on the principal State managed railways speaks for itself.

Miles.	Average cost in pies per ton mile.			Rate in pies per ton mile.		
	E. I. R.	N. W. R.	G. I. P.	E. I. R.	N. W. R.	G. I. P.
600	2.50	4.12	3.78	4.72	5.90	7.49
800	2.50	4.12	3.78	4.22	5.21	6.40
1,000	2.50	4.12	3.78	3.92	4.79	5.66

13. *General.*—The Railway Board have dealt at length with the points made in your speech, and are of opinion that the policy of Indian Railways in regard to rates and fares stands clear of the charge made that they are indifferent or inimical to the interests and welfare of indigenous industries. The goods tariffs of the State Railways, in particular, which contain numerous special reduced rates quoted to encourage the development of Indian industries, fully support this contention.

RECOMMENDATIONS OF THE ROYAL COMMISSION ON AGRICULTURE.

424. ***Mr. Vidya Sagar Pandya:** (a) Will Government be pleased to state what progress has been made in carrying into effect the Resolution of the Council of State, passed on the 17th September, 1928, on the Report of the Agricultural Commission?

(b) Will Government be pleased to state what definite steps have been taken by them to give effect to the recommendations contained in the Report of the Agricultural Commission?

Mr. G. S. Bajpai: (a) and (b). A copy of the debate on the Resolution was forwarded to all Local Governments and Administrations. The recommendations relating to Central Land Mortgage Banks were also discussed at a conference of Registrars of Co-operative Credit Societies which met in Simla last October and commended to the conference of representatives of Provincial Governments, at which the more important proposals made by the Royal Commission were discussed. The Government of India have since then been engaged principally in considering the very important recommendations which the Commission made as to the establishment of a Central organisation for research purposes. The action taken as regards this matter has already been announced by His Excellency the Viceroy in his address to the Assembly on the 28th January. Other recommendations which concern the Government of India, either exclusively or jointly with one or more Local Governments, are receiving attention now. It rests of course, with Local Governments to give effect to the recommendations which affect them primarily.

RECOMMENDATIONS OF THE CINEMA COMMITTEE.

425. ***Mr. Vidya Sagar Pandya:** (a) Will Government be pleased to lay on the table the views of the Local Governments on the recommendations of the Cinema Committee?

(b) Will Government state when they propose to take action on the recommendations of the Cinema Committee?

(c) Will Government be pleased to make a statement on the final conclusions arrived at on the proposals of the Cinema Committee?

The Honourable Mr. J. Orerar: The views of Local Governments have not as yet been secured on all the recommendations of the Committee, and the Government of India are therefore not at present in a position to reach final conclusions or to take action on the proposals.

ROYAL COMMISSIONS AND COMMITTEES APPOINTED SINCE 1921.

426. ***Mr. Vidya Sagar Pandya:** Will Government be pleased to lay on the table the information collected and supplied to Rai Bahadur Tarit Bhusan Roy, in reply to his starred question No. 381 on the 10th September, 1928, in the matter of Royal Commissions and Committees appointed since 1921?

The Honourable Mr. J. Orerar: I have laid on the table a list containing the information which was supplied to Rai Bahadur Tarit Bhusan Roy.

Statement showing the number of Commissions appointed since 1921, the personnel and cost of each such Commission.

Serial No.	Name of Commission.	Personnel.	Cost.	Remarks.
		<i>Chairman.</i>	Rs.	
1	Royal Commission on Superior Services in India.	Viscount Lee of Farham . <i>Members.</i> Sir Reginald Craddock. Sir Cyril Jackson. Sir Chaman Lal Hari Lal Setalvad. Sir Muhammad Habibullah. Rai Bahadur Hari Kishan Kaul. Mr. David Petrie. Mr. Bhupendra Nath Basu. Mr. R. Coupland. Mr. S. F. Stewart—Joint Secretary. Mr. A. W. Street—Joint Secretary. Mr. P. R. Rau—Assistant Secretary.	3,00,000	Approximate.
		<i>Chairman.</i>		
2	Royal Commission on Indian Currency and Finance.	The Right Hon'ble E. Hilton Young, D.S.O. <i>Members.</i> Sir Rajendranath Mookerjee, K.C.I.E., K.C.V.O. Sir Narcot Hastings Yeeles Warren, K.C.I.E. Sir Reginald Arthur Mant, K.C.I.E., C.S.I. Sir Maneckji Byramji Dadabhai, K.C.I.E. Sir Henry Strekosch, K.B.E. Sir Alexander Robertson Murray, Kt., C.B.E. Sir Purshotamdas Thakurdas, Kt., C.I.E. Mr. Jehangir Cooverjee Covalie. Mr. William Edward Preston.	2,87,000	Approximate.

Serial No.	Name of Commission.	Personnel.	Cost.	Remarks.
		<p><i>Secretaries.</i></p> <p>Mr. G. H. Barter. Mr. A. Ayangar.</p> <p><i>Chairman.</i></p> <p>Right Hon'ble Marquess of Linlithgow, D.L.</p> <p><i>Members.</i></p> <p>Sir Henry Stanley Lawrence, K.C.S.I., I.C.S. Sir Thomas Middleton, K.B.E., C.B. Rai Bahadur Sir Ganga Ram, Kt., C.I.E., M.V.O. Sir James Mackenna, Kt., C.I.E., I.C.S. Mr. H. Calvert, C.I.E., I.C.S. Raja Sir Krishna Chandra Gajapathé Narayana Deo Garu, Raja of Parlakimedi. Mr. M. N. Gangulés, Professor of Agriculture and Rural Economy, Calcutta University. Dr. L. K. Hyder P.H.D. Professor of Economics, Aligarh University. Mr. Balkrishna Sitaram Rawat.</p> <p><i>Chairman.</i></p> <p>The Hon'ble Sir Ibrahim Rahimtoola, Kt., C.I.E., Member of Executive Council, Bombay.</p> <p><i>Vice-Chairman.</i></p> <p>Mr. J. M. Keynes, M.A., C.B., Fellow of King's College, Cambridge.</p> <p><i>Members.</i></p> <p>Mr. T. V. Seshagiri Ayyar, Member, Legislative Assembly. (Retired Judge, High Court, Madras.) Mr. Ghanshyam Das Birla, M.L.C., of Messrs. Birla Brothers, Ltd., Calcutta.</p>	Rs.	
3	Royal Commission on Agriculture in India.		13,72,734	Approximate.
4	Indian Fiscal Commission.		3,47,803	Actual.

Serial No.	Name of Commission.	Personnel.	Cost.	Remarks.
		<p>Mr. J. C. Coyjee, B.A., LL.B., Professor of Economics, Presidency College, Calcutta.</p> <p>The Hon'ble Sir Manekjee Byramji Dadabhoy, Kt., C.I.E., Bar.-at-Law, Nagpur.</p> <p>Mr. Jamnadas Dwarkadas, M.L.A., Bombay.</p> <p>The Hon'ble Sir Edgar Hol- berton, Kt., C.B.E., Burma Chamber of Commerce.</p> <p>Mr R. A. Mant, C.S.I., I.C.S.</p> <p>Mr. Norottam Morarjee of Messrs. Morarjee Gooldas & Co., Bombay.</p> <p>Mr. C. W. Rhodes, C.B.E., M.L.A., of Messrs. Hoare Miller & Co., Ltd., Calcutta.</p> <p>Sir Montague Webb, Kt., C.I.E., C.B.E., M.L.A., of Messrs. Forbes, Forbes Campbell & Co., Ltd., Karachi.</p> <p>Mr. H. G. Haig, I.C.S., <i>Secretary.</i></p> <p>Mr. E. F. Rogers, <i>Assistant Secretary.</i></p> <p><i>Chairman.</i></p>	Rs.	
5	Indian Statutory Commission.	<p>The Right Hon'ble Sir John Simon, P.C., K.C.V.O., K.G.M.P.</p> <p><i>Members.</i></p> <p>Viscount Burnham, G.C.M.G., C.H.</p> <p>The Lord Strathcona and Mount Royal.</p> <p>The Hon'ble N. C. G. Cadogan, C.B., M.P.</p> <p>The Right Hon'ble Vernon Hartshon, P.C., M.P.</p> <p>Colonel the Right Hon'ble G. R. Lane Fox, P.C., M.P.</p> <p>Major C. R. Attlee, M.P.</p> <p>Mr. J. W. Bhore, C.I.E., C.B.E., I.C.S., <i>Secretary.</i></p> <p>Mr. S. F. Stewart, C.S.I., C.I.E., <i>Secretary.</i></p> <p>Mr. R. H. A. Carter, <i>Assistant Secretary.</i></p> <p>Mr. E. W. Perry, I.C.S., <i>Assistant Secretary.</i></p>	Not yet known.	

Mr. Vidya Sagar Pandya: Does that statement contain information also about Committees or does it only contain information relating to Royal Commissions, and will the Honourable Member kindly furnish that information, if he has not given the information about all the Committees appointed since 1921 up to date and their cost?

The Honourable Mr. J. Ozerar: Yes, Sir, I will supply the Honourable Member with that information.

COMPLAINT AGAINST THE POST OFFICE FOR TAMPERING WITH LETTERS,
BY DR. ANNIE BESANT.

427. ***Mr. Vidya Sagar Pandya:** Has the attention of Government been drawn to the signed article in the *New India* by Dr. Annie Besant and reproduced in other papers such as the *Hindu* dated 19th December, 1928, reiterating her complaint against the Post Office in the method of tampering with private correspondence? Will Government make a full statement in the matter, taking into consideration the answers given by the Government to the unstarred questions—

(1) No. 2 of Mr. C. S. Ranga Iyer,

(2) No. 147 of Khan Bahadur Sarfaraz Hussain Khan,

and starred question No. 14 of the late Lala Lajpat Rai, on Tuesday, the 4th September, 1928?

and the charge subsequently repeated by Dr. Annie Besant in another signed article in the *New India* recently?

The Honourable Mr. J. Ozerar: I have nothing to add to the answers to which the Honourable Member refers.

Mr. Vidya Sagar Pandya: In view of the serious allegations subsequently made by Dr. Besant, would it not be very scandalous for the Government not to make any enquiry into the matter?

The Honourable Mr. J. Ozerar: The article to which the Honourable Member has drawn my attention refers specifically to a complaint which was made at the beginning of last year. The complaint was thoroughly enquired into before I gave my answer in the last session and it was found to be totally devoid of foundation. I therefore see no reason for instituting any further enquiry.

Mr. Vidya Sagar Pandya: Are Government aware of the fact that those charges were subsequently repeated by Dr. Besant in another signed article in *New India* recently, regarding monies sent to her from outside, which she pays to students, which she says do not reach her in proper time, and has her vakil given any notice or made any representation to the Government in the matter?

The Honourable Mr. J. Ozerar: I have explained on a previous occasion that, neither the Government of Madras, nor any other Government, did in any way tamper with Mrs. Besant's correspondence or delay any remittances to her address.

Mr. A. Rangaswami Iyengar: Will Government take notice of the fact that Dr. Besant specifically complained that remittances sent to her were not received, and will they cause an enquiry to be made into it?

The Honourable Mr. J. Oorerar: I have already explained in respect of the complaint specified in the article to which my attention has been drawn that a full enquiry was made and it was elicited that the complaint made by Mrs. Besant, no doubt under a misapprehension, was nevertheless entirely destitute of foundation so far as the action either of the Government of India or of the Government of Madras was concerned.

Mr. A. Rangaswami Iyengar: I am asking whether in respect of the fresh complaint that she has made, just referred to in Mr. Pandya's question, Government would cause an enquiry to be made.

The Honourable Mr. J. Oorerar: I am not aware that any fresh complaint has been made. I am quite convinced that there is no cause for any complaint on the ground of delay or interference with her correspondence. Delays in the delivery of postal communications do occasionally arise, and in that case I suggest that the proper course is to make enquiries at the post office of delivery.

Mr. A. Rangaswami Iyengar: Is the Honourable Member aware that letters from abroad to Members of this House have been surreptitiously opened during transit?

Mr. President: The Revd. J. C. Chatterjee.

REPORTED MANUFACTURE AND EXPORT BY THE GOVERNMENT OPIUM FACTORY AT GHAZIPUR OF MORPHINE AND HEROIN.

428. ***The Revd. J. C. Chatterjee:** (a) Has the attention of Government been called to an article by Mr. C. F. Andrews in the *Manchester Guardian*, reproduced in a recent issue of the *Indian Daily Mail* of Bombay, stating, that the Government Opium Factory at Ghazipur is now manufacturing opium alkaloids such as morphine and heroin, and that they are exported to foreign countries?

(b) Will Government be pleased to state whether the statement is correct partially or substantially?

The Honourable Sir George Schuster: I think, Sir, it will be convenient if I answer questions 428 to 430 together. I am anxious to supply an explanation of the whole position and I have found that I could do this best by re-arranging the heads of the questions.

The Government have seen the article referred to and have already issued a Press communiqué on 29th January, on the subject.

No heroin has ever been manufactured at Ghazipur and the products which have to be considered in dealing with the points raised in the questions are pure morphine, crude morphine and medical opium.

Pure morphine has been produced in Ghazipur for many years and is a necessary and beneficial drug for medical purposes. Except for one consignment of 430 lbs., sent to the United Kingdom in 1923-24, it has never been exported, but has all been issued in India to medical store-keepers to Government, Government dispensaries and licensed druggists. The amounts manufactured have been as follows: (The year referred to

is the administrative year in the Opium Department which ended on October 31 up to 1926 and thereafter on September 30).

1920-21	..	..	..	None, owing to the existence of a sufficient supply at the beginning of the year.
1921-22	..	..	..	34 lbs.
1922-23	..	..	..	130 "
1923-24	..	..	..	425 "
1924-25	..	..	..	155 "
1925-26	..	..	..	188 "
1926-27	..	..	..	142 "
1927-28	..	..	..	165 "

Crude Morphine was first manufactured in 1923-24 and all that has been made has been exported to the United Kingdom, except a small quantity retained for refinement into pure morphine for issue in India. The figures for exports of this drug are as follows:—

1923-24	..	..	..	4,050 lbs.
1924-25	..	..	..	2,000 "
1925-26	..	..	..	5,240 "
1926-27	..	..	..	Nil.
1927-28	..	..	..	1,100 "

These figures do not exactly correspond with some of the figures taken from the statistics supplied to the League of Nations which, since 1926, have been made up for the calendar year.

The manufacture of crude morphine was originally started in order to use up accumulated stocks of contraband opium. The product was exported only to the United Kingdom to fill definite orders placed with the High Commissioner for India by persons authorised by the Home Office to import the drug. It is a necessary drug for medical purposes, and the experience of the Great War showed how important it was to have some reliable source of supply. The needs of the United Kingdom for medical purposes may be met either by the supply of crude morphine or by medical opium and therefore the supply of the two commodities must be, and has always been, correlated together.

I may state that, although the Government of India, owing to the procedure adopted, were satisfied that the crude morphine exported by them only went into proper hands, they have actually, since March, 1928, stopped its manufacture and are turning instead to the manufacture of codeine, a preparation which, although in its chemical analysis closely resembles morphine, is actually classified in technical language as a "harmless and non-habit-forming drug".

In order to complete the picture of what the Government of India is doing in this field, I may also give particulars of its business in *medical opium*. The whole of the exports from India in this case also have gone to the United Kingdom, with the exception of one small consignment, sent in 1924-25 to the United States of America under special circumstances of which the India Office was cognisant.

The exports of medical opium, which have all been made solely for medicinal purposes and under strict control have been:

1923-24	..	..	..	54,400 lbs.
1924-25	..	..	..	132,000 "
1925-26	..	..	..	96,000 "
1926-27	..	..	..	71,000 "
1927-28	..	..	..	76,800 "

I think that the information which I have given will make it clear that although the figures quoted in the articles referred to were substantially correct, the general inference drawn is not fair to the Government of India. The figures which I have now given show that it was an entirely exceptional occurrence that the exports of crude morphine from 1923 to 1926 went to so high a figure, that in the following years the figures were greatly reduced, and that the export has now ceased altogether. Further, not an ounce has ever been exported except for medical purposes under strict control.

The Government of India welcome the vigilant scrutiny which men like Mr. C. F. Andrews, the writer of the article, apply to this subject, and are in entire agreement with his object which is to stamp out the trade in noxious drugs. The Government of India, by deciding in 1926 in effect to eliminate its export trade in opium, except for medicinal purposes, voluntarily submitted to the financial sacrifice of several crores per annum of revenue. Having given a lead to the world in this way they certainly do not intend to go back upon it.

MANUFACTURE OF LARGE QUANTITIES OF MORPHINE IN INDIA.

†429. *The Revd. J. O. Chatterjee: (a) Is it a fact, as stated by Mr. C. F. Andrews, that whereas in 1921 there was no manufacture of opium alkaloids and in 1922 only 15 kilos were manufactured, in 1926 as many as 1,977 kilos, or in other words more than two tons of morphine, were manufactured at Ghazipur, and placed on the world market?

(b) In view of the above development, is it not a fact that India is becoming one of the principal suppliers of morphine for the world?

NAMES OF COUNTRIES TO WHICH MORPHINE HAS BEEN SUPPLIED FROM GHAZIPUR.

†430. *The Revd. J. O. Chatterjee: (a) Will Government be pleased to supply a statement showing names of countries to which morphine has been supplied from the Ghazipur factory and the amount supplied to each, from the year 1922 to 1927, inclusive?

(b) Will Government be pleased to state if this supply of morphine to those countries has been for purely medicinal purposes?

ADMISSION OF INDIANS TO THE CEYLON CIVIL SERVICE.

431. *The Revd. J. O. Chatterjee: (a) Will Government be pleased to state the numbers of Singhalese British subjects serving in the Indian Civil Service, and of Indian British subjects serving in the Ceylon Civil Service?

† For answer to this question, see answer to question No. 428.

(b) Is it a fact that, while Singhalese British subjects are eligible for entry into the Indian Civil Service, British Indian subjects are not eligible for the Ceylon Civil Service?

(c) If the answer to part (b) is in the affirmative, will Government be pleased to state if they would be prepared to either press for the opening of the Ceylon Civil Service to Indian British subjects, or to declare Singhalese candidates ineligible for the Indian Civil Service?

The Honourable Mr. J. Orerar: (a) Five Ceylonese British subjects are now serving in the Indian Civil Service. Government have no information as to the number of British Indian subjects serving in the Ceylon Civil Service.

(b) I would invite the Honourable Member's attention to the reply that I gave on the 21st September last, to Maulvi Sayyid Murtaza Sahib Bahadur's question No. 825.

(c) The matter has received Government's close attention on more than one occasion; but the conclusion reached was that, in present circumstances, there is no practical advantage to be gained from the action suggested.

MEDICAL INSPECTION OF SCHOOL GIRLS.

432. ***The Revd. J. C. Chatterjee:** (a) Will Government be pleased to state, what, if any portion of the grant made to the Delhi Administration for the medical inspection of school children was expended on the medical inspection of school girls?

(b) If no provision was made for the medical inspection of school girls in Delhi Province, do Government propose to direct that girl scholars should be given the benefit of medical inspection, equally with boy scholars?

Mr. G. S. Bajpai: (a) No portion of the grant was expended on the medical inspection of school girls.

(b) The question of extending medical inspection to school girls will be considered after some experience has been gained of the system of medical inspection of boys.

The Revd. J. C. Chatterjee: Are the Government aware that the Municipality of Delhi, finding that Government makes no provision for the medical inspection of girls, have introduced it, and if so, will Government watch that experiment and take early steps?

Mr. G. S. Bajpai: I shall certainly pass on the information furnished by the Honourable Member to the Chief Commissioner of Delhi, but I think he is equally in a position to do it direct.

The Revd. J. C. Chatterjee: If you will give the money.

Mr. G. S. Bajpai: For passing on the information?

MEDICAL TREATMENT OF SCHOOL CHILDREN AFTER INSPECTION.

433. ***The Revd. J. C. Chatterjee:** What provision is made to ensure that scholars found by medical inspectors to be in need of medical treatment receive the necessary treatment?

Mr. G. S. Bajpai: A slip giving the name of the disease, from which a school boy is suffering, is sent to his parent or guardian for information and action. The boy is entitled to treatment, free of charge, at any of the public hospitals or dispensaries in the Delhi Province.

The Revd. J. C. Chatterjee: Are Government aware that the condition of the parents is such that those slips are very seldom used at all?

Mr. G. S. Bajpai: I am quite prepared to take that from the Honourable Member.

The Revd. J. C. Chatterjee: Are Government prepared to consider the possibility of medical clinics for school children?

Mr. G. S. Bajpai: Does the Honourable Member suggest that the hospitals and dispensaries in the Delhi Province do not provide clinics for children?

The Revd. J. C. Chatterjee: I do not suggest that, but they are very inconvenient to get at. What I mean is that they should be more reachable than they are at present.

Mr. G. S. Bajpai: If the Honourable Member suggests that there should be special clinics, I am not prepared to give an answer off hand but I am quite prepared to ask the Chief Commissioner to consider the suggestion.

The Revd. J. C. Chatterjee: That will satisfy me.

EXTENSION OF DELHI PROVINCE.

434. ***The Revd. J. C. Chatterjee:** (a) Has the attention of Government been drawn to an address presented by the President and Municipal Commissioners of Delhi to the Honourable the Chief Commissioner of Delhi, in the course of which they represented to him the earnest wish of the people of Delhi and its environments for the extension of Delhi Province, and pointed out the handicaps suffered by the people of the Province owing to its 'microscopic' size?

(b) Has the attention of Government been further called to the Report prepared by a Committee of the Delhi residents on provincial redistribution, outlining a scheme for a much enlarged Province of Delhi, extracts from which scheme appeared in the *Hindustan Times* of January 6th, 1929?

(c) Will Government be pleased to state if they are considering the question of enlarging the Delhi Province?

(d) Will Government be pleased to state if they have submitted any proposals to the Indian Statutory Commission for the extension of Delhi Province?

The Honourable Mr. J. Orerar: (a) and (b). Government have seen newspaper accounts of the address to the Chief Commissioner referred to in (a) and of the report referred to in (b).

(c) and (d). No.

The Revd. J. C. Chatterjee: May I ask whether Government are opposed to the proposal for the extension of the Delhi Province?

The Honourable Mr. J. Orerar: Government have not taken that question into consideration as yet.

The Revd. J. O. Chatterjee: May I ask if Government will be prepared to take this into consideration at an early date?

The Honourable Mr. J. Orerar: In due course, when the matter arises, Government will no doubt give very careful consideration to any proposals that may be made in that behalf.

COST OF MAINTENANCE OF THE WESTERN EXTENSION OF DELHI.

435. ***The Revd. J. O. Chatterjee:** (a) Is it a fact that the Delhi Municipality is allowed an annual grant of Rs. 25,000 only for maintenance of the Western Extension and other developed areas, whereas the Municipality has to spend considerably over a lakh per annum on the maintenance?

(b) If the answer to part (a) be in the affirmative, are Government prepared to consider the question of allotting the entire income of these areas to the Delhi Municipality for their maintenance?

Mr. G. S. Bajpai: (a) Information has been called for from the Chief Commissioner, Delhi, and will be supplied to the Honourable Member on receipt.

(b) The Government of India propose to await the Chief Commissioner's reply before considering the matter.

THE BEGGAR PROBLEM IN DELHI CITY.

436. ***The Revd. J. O. Chatterjee:** (a) Are Government aware that the streets and bazaars of Delhi City are infested with an army of beggars and mendicants, some of whom are suffering from disfiguring and infectious diseases?

(b) Are Government prepared to undertake legislation to deal with the beggar problem and as a first step towards its solution to assist the Delhi Municipality with financial aid for the provision of a suitable poor house?

Mr. G. S. Bajpai: (a) Government are aware that a number of beggars, some of whom correspond to the description given by the Honourable Member, are to be found in the streets of Delhi.

(b) Provision already exists in section 151 of the Punjab Municipal Act, which has been extended to the Delhi Province, to deal with importunate and none too beautiful mendicants. They have received no application from the Municipal Committee of Delhi for a grant towards the construction or maintenance of a poor house.

The Revd. J. O. Chatterjee: May I ask whether, if such an application is received, the Honourable the Education Secretary will be prepared to consider it favourably?

Mr. G. S. Bajpai: I am not prepared to say that I shall be able to consider it favourably, but I shall certainly consider it. The decision will depend upon the circumstances of the case.

**APPOINTMENT OF A NON-OFFICIAL INDIAN TO AN ADDITIONAL POST OF
MEMBER OF THE RAILWAY BOARD.**

487. ***Pandit Hirday Nath Kunzru:** (a) Has the Secretary of State recently sanctioned the creation of an additional post of Member of the Railway Board?

(b) If so, what will be the duties of the new Member? Will he deal specially with labour questions?

(c) Do Government, in response to the demand repeatedly made by the Assembly for the appointment of an Indian to the Railway Board, propose to select a non-official Indian for the new post?

The Honourable Sir George Rainy: I am not at present in a position to make a statement, but I hope to be able to do so at a very early date.

Diwan Chaman Lall: May I take it that the Honourable Member will take into consideration the desire of this House that there should be an Indian Member of the Railway Board?

The Honourable Sir George Rainy: The House may take it for granted that the frequently expressed desire in many quarters of this House is constantly present to the mind of the Government of India.

UNSTARRED QUESTIONS AND ANSWERS.

REPORTED SMUGGLING OF COCAINE INTO INDIA.

215. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the report published in the issue of the *Statesman* of January 22, 1929, page 12, under the heading "Cocaine menace in India—League Report—Drug smuggled from Far East"?

(b) If so, will they please state if the statement "Sir John Cabbell gave details of the considerable decrease in the culture of the poppy in 1926-27. He described cocaine as being still a more serious menace than opium, and said the quantity of cocaine smuggled into India was 41 times larger than the quantity legally permitted" is correct?

The Honourable Sir George Schuster: (a) Yes.

(b) Yes. The amount of cocaine imported into India in 1927 under license was 65 lbs. The seizures of contraband cocaine amounted to 265 lbs., and as the usual formula taken is that the seizures represent, approximately, one-tenth of the illicit traffic, the quantity of cocaine smuggled into India is calculated to have been 41 times the amount legally imported.

**CONSTRUCTION OF A CULVERT AND OVERBRIDGE AT BARAUNI JUNCTION ON
THE BENGAL AND NORTH WESTERN RAILWAY.**

216. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the letter published in the issue of the *Searchlight* of January 28, 1929, page 8, regarding the construction of a culvert and an overbridge at the Barauni Junction of the Bengal and North Western Railway Station?

(b) If so, do they propose to consider the desirability of the construction of a culvert and an overbridge and thus redress the grievances of the people of the locality as suggested in the letter?

Mr. A. A. L. Parsons: (a) Yes.

(b) I am sending a copy of the Honourable Member's question to the Agent of the Bengal and North Western Railway in order that he may consider whether any action is needed.

RECOGNITION OF THE BENGAL AND NORTH WESTERN RAILWAYMEN'S ASSOCIATION.

217. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the resolutions passed at the Joint Sessions of the 8th and 7th Annual Conferences of the Bengal and North Western Railwaymen's Association held on 22nd January, 1928, reported in the proceedings of the Conference for the years 1926 and 1927?

(b) Will the Government be pleased to state if it is a fact that the Bengal and North Western Railwaymen's Association was registered on the 30th of August, 1928, under the Trade Unions Act, XVI of 1926?

(c) If so, will Government please state if the Agent, Bengal and North Western Railway, was requested by the said Association to recognise it?

(d) If so, will they please state if the Association has since been recognised by the Agent?

Mr. A. A. L. Parsons: (a) Yes.

(b) It is understood that this Association has lately been registered under the Trade Unions Act of 1926.

(c) Yes.

(d) Government understand that the Agent of the Railway is making enquiries regarding the registration of this Association and its claims to represent railway workmen, and that, if these are found to be in order, he will be prepared to deal with it regarding such general matters as concern the welfare of the railway workmen.

DEPLORABLE CONDITION OF THE SUBORDINATE STAFF OF THE BENGAL AND NORTH WESTERN RAILWAY.

218. Khan Bahadur Sarfaraz Hussain Khan: (a) Is it a fact that the Bengal and North Western Railwaymen's Association drew the attention of the Bengal and North Western Railway Home Board and the Railway Board to the deplorable conditions of the subordinate staff of the said Railway?

(b) If so, will Government please state what action has been taken to redress their grievances?

Mr. A. A. L. Parsons: (a) Government believe that this is so.

(b) The matters are within the competence of the Agent, but Government are making enquiries from him and will communicate with the Honourable Member in due course.

ELECTION OF A MEMBER TO THE COUNCIL OF THE INDIAN INSTITUTE OF SCIENCE, BANGALORE.

Mr. President: I have to inform Honourable Members that Mr. Shanmukham Chetty has been elected to represent the Assembly on the Council of the Indian Institute of Science, Bangalore.

ELECTION OF MEMBERS FOR THE COMMITTEE ON PUBLIC ACCOUNTS.

Mr. President: Non-official Members of the Assembly will now proceed to elect four members to serve on the Committee on Public Accounts in place of the four members, who have retired in accordance with sub-rule (4) of rule 51 of the Indian Legislative Rules. There are six candidates whose names are printed on the ballot papers which will now be supplied to Honourable Members in the order in which I call them.

(The ballot was then taken.)

THE PUBLIC SAFETY BILL—contd.

Mr. President: The House will now resume further debate on the Public Safety Bill.

Mr. M. Keane (United Provinces: Nominated Official): Mr. President, this is the first time I have heard these debates. I was not in the Assembly during the Simla Session, and I could only know by newspapers and by lobby conversations—dangerous conversations, those lobby conversations—the course that the debates took during the Simla Session. And I understood then from the newspapers and conversations that the debate at that time was rather of a bitter nature. The weather was distinctly squally, and eventually, as we know, the Government ship went down.

Any observer, I think, during the past two days would have noticed that the atmosphere now is very different. During these two days all has been calm and clear, and I have no reason to suppose that to-day will be any different.

The Honourable Diwan Chaman Lall, who is not present at the moment, being a man of very great earnestness, is occasionally inclined as earnest people are, to introduce a little disharmony; but even he did not disturb the general atmosphere, and all through we have had peace, almost repose, except perhaps for one brief moment, when Mr. Ranga Iyer, with the zeal and persistence, and possibly a little of the intolerance, of a convert! (Laughter.) turned and rent and trampled under foot our amiable friend, Mr. Gaya Prasad Singh. Mr. Gaya Prasad Singh introduced a simple little motion, by way of opening the proceedings, a motion for circulation, very innocent in itself. He travelled the well-worn paths that we had been accustomed to see him and others travel a thousand times, but for some reason or other it roused the wrath of Mr. Ranga Iyer. It reminded me of one occasion when I was lying quietly on the edge of a golf links in Dorset and I saw, as one does see in those sylvan places, a rabbit come out nibbling away and pleasantly strolling the paths he had always

followed. To my horror and his, a stoat suddenly appeared and death was at his throat before he knew it. That was what Mr. Gaya Prasad Singh must have felt. Apart from that little ripple, all has been very quiet. It has been pointed out already that, without exception, every single Member has condemned communism in the form in which it appears to-day. No Member wishes to see communism introduced into or obtain a hold in any part of India. One might suppose, in circumstances like that, with such initial agreement on a fundamental point, that that spirit might have taken the House a little further towards final agreement, but that has not been the case. Honourable Members opposite are held back by what I would characterise as a mental attitude. They are held back by the feeling which appears to be ever present to their minds, that repressive laws are the issue in question, and a repressive law is in itself damnable. It is a recreation with Honourable Members to search the judicial codes of half the world to discover laws or the absence of laws in those countries to support their own pleading. They come here after studying those laws

and they produce those codes and say, here is China, here is
 12 NOON. England, here is Czecho-Slovakia, Peru and in none of these freedom-loving countries have they got a single law to correspond with the law that you seek to introduce now. My Honourable friend Mr. Cosgrave, unfortunately almost indelicately also entered into this field and he showed clearly that, as far as this particular case was concerned, this was not correct. He showed that the laws of other countries were on a par with the law that was now being introduced. This of course, as is usually the case, was followed by contradictions from the other side, especially from Diwan Chaman Lall, and I have no doubt that other lawyers when, they come to speak on the subject, will give us the benefit of a first class display of forensic fireworks to show that this is entirely wrong. Even my Honourable friend, Mr. Rangaswami Iyengar also entered into the field—I do not want to say very much about Mr. Iyengar's speech, because we on this side recognise Mr. Iyengar as one of the best brains in the Congress Party—and he did not do himself justice in that speech. We know the cause, and all sympathise with Mr. Rangaswami Iyengar. I'm sure, when he speaks again some other day, he will do himself more justice than he did yesterday. The point that I would like to make is this: this continuous searching throughout the countries of the world for laws to prove this and laws to prove that, is not really very relevant to the matter under consideration. We are not all lawyers; we are practical men, most of us, dealing with administration, and the point that seems to me we are liable to forget is that every country in these matters has its own conditions which are never really entirely paralleled by conditions in other countries. (Hear, hear.) It has got its own traditions which bind its present with its past and with its future. It has got its own problems to solve in its own way and we as legislators here and as practical men have to solve those problems. I would say to those who are lawyers, forget it and let us try to solve our problems. The problem that we have before us here is the problem of the maintenance of ordered Government. If there were a native Government here, as has been pointed out over and over again, they would take, I do not say the same measures, but they would take measures of some kind to meet what is admittedly a great menace; measures they must and would take. Every country in Europe, and most countries outside Europe, have taken similar measures. They are all perfectly alive to, perfectly aware of, the menace that is before them, and they have all taken adequate measures. And I say, if there

[Mr. M. Keane.]

were a strongly established responsible government in this country—and we ourselves are pledged, doubly, trebly pledged, pledged by every solemn assurance that we will do our very best to see established a responsible government in this country—if there were such a Government, they would have taken similar measures. When such a Government is established in this country, then I say that that Government will be bound to take measures to meet this menace. That is the right that we claim, the right that we ought to expect this House to give us as long as we are the Government responsible for the administration of the country. That is an elementary right and that right we claim. In my own personal opinion, I would add that we have all the more right to claim it in the peculiar circumstances of this country. I will not go as far as Diwan Chaman Lall went yesterday—though the Honourable Pandit Motilal Nehru did not contradict him, no doubt he will refer to it later on himself—I will not go so far as to say that the creed, the cardinal dogma of the creed of the Congress Party is to foment industrial dispute.

Pandit Motilal Nehru (Cities of the United Provinces: Non-Muhammadan Urban): Who said that?

Mr. M. Keane: That is what I understood Diwan Chaman Lall to say. The published report of his speech will show if he said otherwise. He produced the Bill and read out the clause and said, "You can catch Pandit Motilal Nehru and his Party under this law for fomenting industrial disputes, if you want to. These are the very things they would do. This is part of their creed." At any rate that is what I understood Diwan Chaman Lall to say yesterday.

Pandit Motilal Nehru: He himself said that would be a false charge.

Mr. M. Keane: I would be very sorry to disagree with my Honourable friend Pandit Motilal Nehru. We are old friends and he and I ought not to quarrel now. I may say at once that if the Honourable Pandit definitely says that it is not the creed of the Congress—no one has a better claim to say what is the creed of the Congress—if the Pandit definitely says that that is not the creed of the Congress, I accept it. I understood from my socialist friend Diwan Chaman Lall that that was the creed of the Congress. I am sorry Diwan Chaman Lall is not here, but I remember he distinctly said that the Congress was out to foment industrial and agrarian disputes.

Honourable Members: No, no.

Mr. Jamnadas M. Mehta (Bombay City: Non-Muhammadan Urban): What is the present form of Government in the country?

Mr. M. Keane: I will leave that point to the Honourable Pandit. At any rate my Honourable friend the Pandit will recall to his mind that period of peace and goodwill in Calcutta last Christmas when there were some very inharmonious discussions in his Party, and he will remember that it disclosed clearly the existence at least of one wing of his Party whose avowed aim is the overthrow and subversion of the present Government.

Honourable Members: No, no. Of the present system of Government.

Mr. M. Keane: All right; that at any rate shows that there is a portion of the Party holding those views. Now my point is this. It is my personal opinion, and we as Back Benchers have not got to concern ourselves primarily with the broad policies that the Government have to deal with, but within our own lines we can deal with these questions, my own personal opinion is this that the communist foreigner—I do not want for a moment to be misunderstood on this point—the doctrines and the methods, and the final aims of the communist Bolshevik party are as wide as the poles apart from the doctrines and methods, and final aims of the Independence party. My point is this. Any person, like our friend the Bolshevik from outside, with little knowledge of the realities of Indian politics, might very well be forgiven for thinking that there is already a party in India—since their immediate aim is the overthrow of the existing Government, and that too is his immediate aim—the communist might very well be forgiven for thinking that there is in India a party which is preparing the soil that he can later sow with red revolution. The foreign Bolshevik will say to himself, or might easily say to himself, this is good, there is a nest being prepared ready for me, and I will come and lay there the cuckoo's egg. The cuckoo will come and thank the kindly hedge sparrow for building him a nest and there he will plant his egg and he will watch complacently while the peaceful hedge sparrow hatches it out. And later on the hedge sparrow will be surprised to find that the voracious young cuckoo fledging has kicked his foster brothers out of the nest to die in the ditch, and it will rule the nest alone. That is what the result would be. If, therefore, these conditions prevail in India, it is my opinion at any rate that it is all the more essential that in this country, whatever the laws may be elsewhere, we should be in a position to meet that menace.

Honourable Members on this side are continually being faced with the bogey of repressive laws. It is a shibboleth that has done service in the past, is doing it in the present, and will not fail to do it in the future. I would say to all those Honourable Members who are at all disturbed by this bogey, this repressive law cry repeated again and again, that it is their duty to examine this question with the greatest possible care. I blame no Member for examining with the minutest care any law that seeks to introduce a procedure that is in any way abnormal; but members should decide for themselves: "Is it a repressive law? Is it what it is stated to be?" Over and over again, during the course of the debate in this House, it has been shown that, so far from being a repressive law in the ordinary sense of a repressive law, it is the reverse. It is not a law under which the Honourable the Home Member can sit in his place and write an order and have it issued on any man, and that man is taken away to a place where he will be heard of no more. That would be, no doubt a repressive law. And, mark you, Sir, what comparison is there between the power in this Bill and that power under which our admirable Soviet Government acted just now, a few days ago, towards the erstwhile Great Comrade Trotsky who was served with an order to remove himself, his family and his oxen and ~~passer~~ forthwith from the territory of Russia. He was served with such an order, without appeal, as is not the case here. It has been pointed out over and over again, and I will restate it again, that in this Bill which is before this House for consideration—and I would like Honourable Members from all parts of the House to remember this—there is an appeal to three Judges to consider the case of any man. This is not repression. The procedure alone is new, but the law is not a repressive law.

[Mr. M. Keane.]

It is a law which gives a man a perfect right to appear before three Judges, experienced Judges, before any arbitrary order can be carried into effect against him. And when the order is made, the removal will be postponed until after the appeal is considered; and the order will stand only in case the appeal is not allowed. That is all that the order means. And yet there is all this talk of repressive laws, all this comparison of the laws prevailing here, the laws prevailing there and the laws prevailing everywhere. We are told we must not have any law that is not in existence anywhere else. That surely means and shows the slavish mentality that Mr. Gandhi is continually trying to exorcise. Why must we not have a law here which is not in existence elsewhere? There is another thing, Sir. It is a peculiar, a very serious thing, one which is noticeable always, that it is only in the case of laws which allow the Government of the country to deal promptly, efficiently and effectively with an evil that this cry is raised. We have introduced laws in this country, in advance of the countries of Europe by half a century, laws which helped the agricultural part of the population, which gave them rights of occupancy in their land. So far back as 1850 we passed laws securing to the people of this country rights in their lands; laws which existed, as far as I know, in no European country at all. It was years before the first of a series of similar laws was introduced in Ireland. There was no cry then that we were introducing laws which no other country had introduced. England has always been known as the home of freedom, and America of course is peculiarly free, and they have no such laws. We have in this country had the railways nationalised; they belong to the State. No objection is raised that England has not nationalised her railways. It is only in the case of an act to make the Government of this country more effective, that an outcry is ever raised. This is the point I wanted to deal with, because, as far as I can see, it is the only one point that is being sought to be driven home. Mr. Birla, in his interesting speech yesterday, said his objection was to this repressive law. That was his point. He told us he objected to communism, that he disliked communism; but his mind was troubled, rightly troubled. But I want to say to him that his trouble has no real basis; his trouble need not be there.

The point which I want to emphasise is, I want all Honourable Members to see that, in order to meet a menace that has been recognised as a dangerous menace by every country in Europe, all we seek is that they give to the Government which is existing, rightly or wrongly—but existing, the power of exercising that responsibility which it holds, of maintaining the peace and prosperity of this country. This law enables that to be done, and it enables it to be done in a way that need offend the conscience of no Member who looks at it from the proper point of view and in the right spirit. I have done, Sir. (Applause.)

Mr. T. Gavin-Jones (United Provinces: European): Sir, when I spoke on the Public Safety Bill in the last Session, I expressed my surprise that this was considered to be a contentious Bill; and I am sure that it would not now be considered a contentious measure, if only Honourable Members who opposed the Bill in that Session would forget what they said then, and consider the question on its merits, without suspicion, and without the lure of using it as a stick to beat the Government, to use any stick without considering what the consequences are. First of all, I wish to offer some criticism of the Government. I agree entirely with Mr. Cocke and

Mr. Ranga Iyer in what they said, that they could not understand why the Bill was being sent to a Select Committee. It has already been before a Select Committee, and I fail to understand why it should be sent again. However, the Government in their wisdom, think that it is necessary, and I accept it. The Honourable the Home Member, in his speech, told us that he could not consider the question of dealing with the Indian communist at the moment, and he preferred the policy of "Wait and See". Now, Sir, this is not the time to wait and see, and I would press the Government to consider that side of the question now. We begged him in the last Session to consider it. If he had done so and stated clearly what he intended to do I feel sure that this Bill would have passed through without opposition.

The Honourable Diwan Chaman Lall, in his eloquent and clever speech, said a great deal about criminal law and why this trouble cannot be dealt with by the ordinary criminal law. Now, I am not a lawyer, but I understand that the criminal law cannot deal with a man unless it can prove him to be a criminal. This Bill is to deal with potential criminals. It is to deal with men who slip through the Immigration Law, which we are endeavouring to introduce. We do not want undesirable people to come to this country to stir up revolutionary trouble, for, however well you may handle your passports, they will slip through. This Bill is not to deal with the ordinary residents in the country. As the last speaker has pointed out, there is nothing for the ordinary resident in this country to fear. It is only to deal with those men who have slipped through and got into this country for evil purposes. Diwan Chaman Lall also quoted from a number of speeches that were made at the last Session, and he went through a list of the dreadful things that were prophesied, and he asked, have all these things happened? Has the country disintegrated? Has the fabric of society broken up? Now I ask Diwan Chaman Lall, is he going to wait till the fabric of society has broken up before he considers a law which is being enacted to deal with the difficulty? Surely he must know that the fabric of industry is breaking up and must be dealt with promptly. And this is what we on this side of the House are pressing the Government to do, and this measure has been placed before us as their idea of what ought to be done first. The difficulties and troubles are increasing. I have here a telegram which Sir Victor Sassoon has handed over to me. It is dated yesterday and reads:

"Pathan murders and disturbances still continue. Workers hoisting victory for Red flag. Mill and railway workshops closed."

Since then Sir Victor Sassoon has received another telegram last night in which it is said that communal riots are feared and disturbances are increasing.

Mr. A. Rangaswami Iyengar (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Communal? You mean communistic?

Mr. Jammadas M. Mehta: What has that to do with the Bill?

Mr. T. Gavin-Jones: In this country Honourable Members know perfectly well that when trouble is stirred up, when riots occur, it is always turned into communal strife. That is the danger of playing with fire in this country. Now, Sir, a lot has been said about Bombay, but Bombay is not the only town in which there has been further trouble. In Bengal, in Calcutta, we have the Gloster Jute Mills which have been closed for six months and no one can find out what the trouble is.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Oh yes, you can.

Mr. T. Gavin-Jones: It is entirely worked up by agitation and it is one of the most flagrant cases of intimidation and at the back of it all is Mr. Spratt.

Mr. Gaya Prasad Singh (Muzaffarpur cum Champaran: Non-Muhammadan): What is the evidence?

Mr. T. Gavin-Jones: In Cawnpore only two or three days ago we had a lightning strike in which one of the mills closed down for two days. The men went out on a complete misunderstanding which had been aroused by agitators. They were so ashamed of it that they came back in two days.

An Honourable Member: There was no Spratt!

Mr. T. Gavin-Jones: There was no Spratt, but there was Bradley.

An Honourable Member: Still they came back.

Mr. T. Gavin-Jones: Last Session when I told you what was happening in Cawnpore, I was severely heckled during my speech for not saying what Europeans had to do with all that. I have since discovered that Mr. Bradley was actually in Cawnpore when this Bill was being discussed. Not only that. When the Bill was sent to Select Committee he thought his time was up and I am credibly informed he bid farewell to his associates and thought of clearing out of the country. After that the Bill was not passed, and he is still at large in the country.

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): Why do you not increase their pay?

Mr. T. Gavin-Jones: Sir, I will tell the Honourable Member in a minute why we do not pay higher wages.

Mr. K. Ahmed: He could not do so last time.

Mr. T. Gavin-Jones: I will come to that in one minute. Now, Sir, Mr. Kelkar seems to have a very benevolent attitude towards communist propaganda and has rather a soft corner in his heart for Mr. Bradley. He has even composed a piece of poetry about him. I have had a piece of poetry handed to me by a budding poet in this House who, I think, has made a better piece of poetry than the medley we heard. It is this:

"When Spratt & Bradley speak
You sometimes hear a squeak
That labour will fare better
If they threw off the fetter
Of the wicked em-employ-er
But those who know our Bradley
Can only view most sadly
The wicked doctrines preached
The wrong conclusions reached
By Bradley and by Spratt
Who do deserve the cat!"

Well let us get back to the more serious part of this subject. Mr. Bradley and Mr. Spratt are merely incidents and we are only quoting them as examples. They are not important people. This Bill has been brought in to deal with a matter which is increasing in importance daily and we must prevent more of such men coming in. Mr. Bradley and Mr. Spratt ought to go. Now, Sir, why have the Communists, the Third International, allotted a quarter of a million pounds sterling of capital for propaganda in this country? Because they feel that the soil is ripe for sowing their

poisonous seed and they are no mean judges. They have studied this subject all over the world. Trade in India is depressed, more depressed than I have ever known it. Money is tight, fearfully tight. I am told in our province, where they are having very hard times and where a crore of rupees has been distributed for *takavi*, the cultivators at the present time are actually paying $6\frac{1}{2}$ per cent. per month for money to keep them alive until their crops can be harvested. That means 78 per cent. per annum. How can any industry live under such circumstances?

An Honourable Member: Is that due to Spratt?

Mr. T. Gavin-Jones: That is not due to Spratt: I am coming to that.

An Honourable Member: Indian money-lenders.

Another Honourable Member: Blackett.

Mr. T. Gavin-Jones: Yes, I quite agree with you—Blackett. I am in entire agreement with my friend, Mr. Birla, when he accuses Government because of their currency policy. That is why we all opposed it.

Mr. H. G. Cocke (Bombay: European): Not all.

Mr. T. Gavin-Jones: Not all, but those who knew anything about it at all. Sir, Mr. Birla's attitude towards this Bill is not logical. He says he objects to communist propaganda; he objects to the trouble and he would like to get over it; and all he suggests is that the currency policy of the Government has brought us to this difficulty and that if it is altered it will get us out of it. Well gentlemen— . . .

Mr. President: The Honourable Member must address the Chair.

Mr. T. Gavin-Jones: Mr. Birla objects to communism, but he cannot support the Government because they have not brought in anything about Indian communists. These are his two points. Now, Sir, I would like to suggest that Sir Victor Sassoon's and my attitude are much more reasonable. We strongly opposed the Currency Bill to the bitter end; we have also insisted that government should do something about the Indian communists, but we support this Bill because it is a measure in the right direction. Is it not more reasonable to accept this Bill, which at any rate deals with British communists? Considering the serious situation, I hope that Honourable Members will support the Bill on that ground only.

Then my friend, Mr. Ranga Iyer, in his long speech, to which I listened with great care, in spite of the large vacuum in my inside, said a great deal, but the burden of his speech was this, that communism is no danger. Now, there is a great confusion of thought over communism. [The preaching of the theory and practice of communism may not be any danger;] there is nothing new in it; it has been in existence since the days of Plato; [it has been tried by various communities in the history of the world and has always failed.] The great experiment in Russia is the last effort; and as a matter of fact the practice of communism has actually failed in Russia. Lenin had to admit that himself; he could not bring round the peasants to be actual communists, and they are the bulk of the people in Russia. [Now, if the theory of communism were preached and they tried to convert the public in India and the Government here by constitutional ways, there might be no harm in it; but the Third International are sending their emissaries into this country to subvert existing institutions and to create a revolution, and that is the danger.] Now, Sir, in the speech made by the Honourable Home Member he mentioned that these agitators were sub-

[Mr. T. Gavin-Jones.]

verting existing organised Government and one Honourable Member on the Swarajist Benches said "That is all right", and certain Honourable Members on the Swarajist Benches rocked with laughter. Also when he said something about revolution, somebody over there said "Hear, hear". I am glad to see that Honourable Members sitting on my right and the Nationalists were not amused. Sir, this is no laughing matter. Honourable Members who deal with revolution and the subverting of organised government in so light a manner are like children playing with fire. Subverting organised government does not mean the Honourable Pandit crossing over the House and sitting on the Government Benches, because if he went over there with his colleagues, he would also have to utilise this same executive organised government to rule the country. Subverting organised government means creating revolution and upsetting law and order in this country. Now, Sir, I have been in communal riots and I have seen people of the middle and upper classes hide in their houses and fear to come out. I put it to Honourable Members over there, supposing revolution were fomented; supposing that the police were subverted and went in for looting; supposing that the Army was subverted; Honourable Members sitting over there would be cowering and trembling in their houses and saying "Why does not the Government do something?" It would be too late then; there would be no government. I beg of Honourable Members to treat this matter with seriousness and not to talk about revolution and subverting existing government in such a light manner. Sir, I hope that all Honourable Members will realise their responsibility and will vote for this Bill as a first step towards stopping this communist agitation and revolution in this country.

Pandit Motilal Nehru: Mr. President, if I am a few minutes late in replying to the affectionate appeal of my old friend, the Honourable Mr. Keane, it is not my fault, but it is my misfortune. I did rise immediately after he resumed his seat, but I was unfortunate enough not to catch your eye. I hope, therefore, my old friend will excuse me for the few minutes' delay. He has appealed to me as the official representative of the Congress, which honour has been conferred upon me by my countrymen, to tell him what is the creed of the Congress; and he took it upon himself to say that as far as he was able to understand, the creed of the Congress was to foment agrarian disturbances . . .

Mr. M. Keane: If I may explain, Sir, I understood Diwan Chaman Lall to say so: that is not my view of the Congress creed.

Pandit Motilal Nehru: That is, as far as he was able to understand my friend, Diwan Chaman Lall, the creed of the Congress was to foment agrarian disturbances. Now, Diwan Chaman Lall is here and I am perfectly certain that no member on this side of the House understood his remarks in that sense. It is impossible for Diwan Chaman Lall to have said anything so atrocious as that. But what Diwan Chaman Lall said was, from the point of view of the Treasury Benches, a much stronger thing. It was that the creed of the Congress is to subvert this Government, I mean the present system of Government. And as the President of the Congress, with all the responsibility attaching to that position, I now in this House openly and publicly declare that that is the creed of the Congress. ("Hear, Hear" from the Swarajists Benches). But as everybody knows it, it is no use seeking shelter under words, the Congress does not foment any kind of

violence. The Congress is for civil disobedience. Mahatma Gandhi has been proclaiming from housetops that we are all preparing for civil disobedience? And what is that civil disobedience for if it is not for subverting the present system of Government, because we do not like it, because it is not just, because it is oppressive. That is the creed of the Congress, and the Congress is working for it.

My Honourable friend Mr. Keane said that there were two wings of the Congress and that the methods of the two wings were different. That again is a grievous error. There is absolutely no difference between the objective and the methods. The difference is only in theory. One wing says, and truly says, that there is no hope from the present British Government for the establishment of Dominion Government in this country and it is useless to waste our time in trying to have such a Government established. The other wing says that although there is no such hope, yet in fact Dominion status is a form of Government which this country ought to be satisfied with and we shall therefore give the British Government one more chance to establish it. If it is not established, Mahatma Gandhi has said that on the 31st December 1930 he will wake up as an Independencewalla. (*Some Honourable Members*: "1929"). I mean 1st January 1930. That may be right or that may be wrong. (*An Honourable Member from the European Group*: "That is wrong"). But it is not right to attribute things to the Congress or to the members of the Congress which they do not say and which they do not claim to be their views. Now, I hope I have made the position of the Congress perfectly clear.

Then my friend indulged in a metaphor. It was the metaphor of the cuckoo and the hedge sparrow. He forgot that we have got the hedge sparrow already in our midst, and we have had it for the last 150 years, and we are not able to lay our eggs at all. There is no question of hedging those cuckoos—(*An Honourable Member*: "Is the hedge sparrow a cuckoo?")—in comparison with the hedge sparrows that are around us. I simply take my friend's metaphor.

Then my friend has indulged in some wrong history and wrong law. He says that all the countries of Europe have similar legislation, but he did not take the trouble to show us the legislation of any particular country. He wants us to assume that all the countries of Europe have such legislation and because they have it we must also have it. But what of that? If some countries in Europe or the Dominions have some such legislation on their Statute Book, does it follow that it is sound legislation, does it follow that it is proper legislation? Are these Dominion Legislatures ideal law givers? On the last occasion I took the opportunity to review the whole law on the subject in England. After all, we must take the pattern of England. I need not repeat what I said on the last occasion; it is too long a story, but I would refer Honourable Members who want to know what the law in England has been, and what it is to-day, I would refer them to what I said on that occasion, and they will find it stated in the debates for the last Session of this Assembly. But I may say that there is no such law in England, and there can be no such law in England as you wish to introduce in India.

I must confess that I do not know the laws of all the European countries and I cannot take upon myself to say what there is in those laws and what there is not in those laws, but so far as I am concerned,

[Pandit Motilal Nehru.]

I am here to oppose this Bill on well understood principles or at least on principles which ought to be well understood by every Englishman, lawyer or no lawyer.

Then there was a very fine distinction made by my friend as to what is repressive legislation and what is not. His idea is that only that is repressive legislation which empowers the executive to catch hold of a man and consign him to oblivion at once; minor things do not matter. If you know where the man is, there is no repression. If he against his will is restrained from doing things which he has a perfect right to do, at the sweet will and pleasure of the executive it is not repressive action, according to my friend. Well, I cannot argue that point with him. According to my friend, the Bengal Ordinance is not repressive legislation, because we know where the men are. They have been caught hold of and they have been sent away, and sometimes we are able to communicate with them. But I do not rely, Sir, upon any particular description, and so far as I am concerned, I would rather not give any name to this particular Bill but expose it on its own merits.

There are one or two other special points made by my friend the Honourable Mr. Keane which I may deal with here. The points which are common to him and other speakers can be dealt with together. He attributed our opposition to slave mentality, and said that it was this slave mentality which Mahatma Gandhi has been trying to exorcise from our minds all these years. Well, it is a poor compliment to Mahatma Gandhi to say that the slave mentality that he was considering was the mentality which opposes this legislation. It is the slave mentality which concurs in this legislation that Mahatma Gandhi sought to exorcise and is trying to exorcise, and by the grace of God will succeed in exorcising in course of time. (Hear, hear). My Honourable friend refers to the case of Trotsky. How many Indian Trotskys have not been treated in the same way as one Trotsky by the Soviet Government? What was the Bengal Ordinance, what were the measures taken under Regulation III of 1818, if they were not something similar to what has been done to Trotsky? I do not know what my Honourable friend's impression is about the reasons for which Trotsky has had to suffer. They may be good reasons, or they may be bad reasons, we are not concerned with that. I hold no brief for the Soviet Government, and it is no business of mine to defend every order they pass. The Soviet Government is, after all, a very much human Government just as all other Governments are. It is human to err. They may make mistakes, but by such mistakes of a Government you cannot impugn the whole theory upon which the Government rests. I was glad to hear from my Honourable friend, Mr. Gavin-Jones, that, so far as the theory and practice of communism are concerned, he saw no fault in them. It will be clear from the views I have just placed before this House and from my other views with which the House is perfectly familiar, that I am not prepared to go so far as to say that there is no harm in the practices of Communism. The theory is all right

Mr. T. Gavin-Jones: I said preaching of the theory and practice of communism.

Pandit Motilal Nehru: But there are some of its practices which will not find favour even on this side of the House. However, these are the views which have come from the benches opposite, and, that being so.

what right have they to say that the very name communism spells terror, destruction, subversion of all society and so on and so forth. It is the particular act done that must be taken into consideration, and if it is an act of a violent character, if it is an act which gives the law into the hands of the person who is acting, then it is for the Government to stand up and to suppress that act, to suppress that individual by all the legal and legitimate means at its disposal.

Mr. K. Ahmed: That is exactly before the House.

Pandit Motilal Nehru: I know no Government can suppress you. (Laughter.)

Lastly, my Honourable friend Mr. Keane paid a tribute to my Honourable friend, Mr. Birla, but he missed the whole point of the very able speech of my Honourable colleague. He showed conclusively that this law was not wanted by anybody. This law was not wanted by Labour, this law was not wanted by Indian Capital, this law is only wanted by a handful of those gentlemen who are there (turning to the European Group), who hope to carry it with the help of the solid phalanx of the Official Benches. The Honourable Mr. Birla showed us the telegrams that he had received, the resolutions that had been passed by capitalist associations and individuals who condemned this measure unreservedly. That was the point of his speech, and when he said that he did not agree with communism, my Honourable friend, Mr. Keane, thought he had a troubled mind and his trouble arose from the fact, he said it was quite natural, that these communists resort to undesirable methods. But why was he opposed to the Bill in spite of that? The reason was that he did not think that communism had anything to do with strikes, but that these strikes were due to economic causes. He also gave us the reason—one of the reasons, there may be others—and that was the appreciation of the rupee. It seems to be ridiculous for any reasonable man to think that a couple of individuals—they may be Bradleys or Spratts from across the seas—can come here and create all the labour trouble, all the agrarian trouble that we see in this country. I simply cannot conceive it. The true reason you will not look at, you will shut your eyes to it. It is the economic condition of the masses in this country. You like quacks, go about to treat this symptom or that symptom and will not like a scientific doctor attack the root cause of the disease. My Honourable friend the Home Member admitted, "We know that this is not a radical remedy for the disease, but it is better than doing nothing. Let us at least begin by cutting off these outside relations with India." Now, Sir, that lets the cat out of the bag. I take this Bill as a direct attack on Indian Nationalism, on the Indian National Congress. (*Some Honourable Members:* "No, no".) (*Some Honourable Members:* "Hear, hear".) And I will show from the provisions of this Bill that it is nothing else. Cutting off of India from outside countries—what does that mean? We are to remain as isolated as ever. The moment any other country takes an interest in India—there are so many organisations in all the countries of the world whose business it is to make this world fitter to live in than it is, and they naturally take an interest in all that is going on in all parts of the world. What is there to fear in that, unless you have something to conceal and avoid the effects of world opinion operating upon it? That, I tell you, is the honest opinion held by many people of my way of thinking. This we believe is the real object of the Bill, because it cannot be necessary, just for the

[Pandit Motilal Nehru.]

sake of two men, whatever capacity they may have for mischief, or for the sake of another half a dozen men who may come. What will they do? They will simply give us their ideas. But can you stop those ideas coming to this country without these men? Can you erect barbed wire entanglements and artificial barriers to keep ideas out of India? Those times are gone when you could do it. Ideas will travel in spite of all precautions, and given the fact that ideas will travel, where is the harm in the person who has those ideas—it may be one, two, three or four—coming and giving those ideas through their word of mouth? What difference does it make? Yes, if you can prevent all communistic ideas from coming to India, if you can take some step in that direction, I can appreciate your action. But, as it is, you may as well pass a law to stop the cold wave that is passing through the country. You cannot do it.

Mr. K. Ahmed: How can you leave the head and catch hold of the tail? (Laughter.)

Pandit Motilal Nehru: The next Bill will be meant for you. (Laughter.) I may at once say, Sir, that I am not one of those who have never seen a communist or never met one nor am I one of those who tremble in their shoes at the very name of communism. I have met many of them and I have found most of them to be very estimable men, courageous men, men of character and men of ability. I do not, of course, know the men that my Honourable friend Sir Victor Sassoon¹ has at his beck and call, whom he undertook to produce at a moment's notice to convince Mr. B. Das of the existence of such people. I cannot vouch for them, as I do not know what kind of people they are. But the men I have known are men of opinions, strong opinions no doubt but men with the courage of their convictions, men who have nothing to gain by holding those opinions and everything to lose by putting those opinions into practice. Such men whether you agree with them or not, must be entitled to the respect of every well balanced mind. I have also met men who differ from communists both in theory and practice and yet do not hesitate to co-operate with them, to meet them, to admit them in their own counsels, although, of course, they will not act with them if such action is inconsistent with their own principles. Now, the Honourable the Home Member mentioned prominently the League against Imperialism² and he said that the Indian Trade Union was proposed to be affiliated to that League. They could not proceed against the men because the law under which they wanted to proceed was not applicable to them. I know something of the League and my own knowledge of it is first-hand. I was present at the meeting of the League against Imperialism, at Brussels, as representing the Indian National Congress. The President of that League was until recently Mr. George Lansbury, who is now the President of the great Labour Party of England. He resigned his office for reasons of want of time. His pre-occupations with the great Party, of which he was elected the Leader, did not leave him time to attend to the proceedings of the League against Imperialism. At least that was the reason which he gave, although it was suspected in the Press and elsewhere that some pressure had been brought to bear upon him. However I will not go into that question. The present President of the League is Mr. James Maxton³ who is the President of the Independent Labour Party in England. Neither Mr. George Lansbury nor Mr. James Maxton is a communist, and yet they

saw no objection in being Presidents of an association which admittedly consists of communists among others. The executive council of this League consists both of communists and non-communists, the majority being non-communists. There are socialists, there are nationalists, there are communists who are members of the League against Imperialism. What is the object of this League and why is it there? It is to secure freedom to the subject races of the world, to fight for freedom and to fight against imperialism. So far as that goes, socialism, nationalism and communism meet on a common platform and there is no objection in the minds of socialists or nationalists to meet and devise measures, consistent with their own principles, with the communists to fight a common evil. They do not fight shy simply of the name communism. When I attended that meeting I was called upon to speak. I must tell the House that I was assured before I attended the meeting that one need not be a communist to be a member of that League. Of course individuals are not members. Countries and Associations are members and individuals represent them. There were no less than 20 countries represented. I was called upon to speak and the first thing I did was to dissociate myself thoroughly, both with the theory and practice of communism, and to tell them that I was there to help them and myself in our common object but I was not there to be a member of their Communist Party, because I did not believe in it. More than a dozen representatives of other countries after me rose in their places and confirmed what I said and shared my views and they said they too were there for that purpose. Now, the Honourable the Home Member assumes that that League against Imperialism is a kind of association, communication with which, under this Bill when it is passed, would become an offence. That shows how much information and knowledge there is of the things that are happening under our very noses. These two men, Spratt and Bradley, are on the brain and they have twisted all intelligence, all idea of connecting cause with effect and of relevancy. Then again I may inform the Honourable Home Member and the House that it is not a mere question of a proposal to affiliate the Trades Union with the League against Imperialism. It is an accomplished fact. Not only the All-India Trades Union but the Indian National Congress are associated—not affiliated—bodies to the League against Imperialism, the distinction being this, that while they do not subscribe to the whole programme of the League, they sympathise with the objects and therefore they are not full Members of the League but only Associates.

I don't see my Honourable friend, Sir Denys Bray in his seat. I listened to him with the attention with which I always listen to him. It is a pleasure to hear him. I have always admired the grace of style, the rounded sentences which he delivers, but I have always felt after he has sat down—I have asked myself—what was the point he made? I have never been able to answer the question. (Laughter.)

Now, in his very able speech yesterday, a speech full of gems of literature, there was talk of deadly poisons and things of that character. Well, the only impression it left in my mind was that the Honourable Sir Denys Bray has a perpetual youth and that those dreams which he dreamt in his youth, and which he so graphically described as having affected his impressionable mind are still haunting him. I think that youth still continues with him and he is to-day as credulous as he was when a young man. That is the only inference that I can possibly draw from that intellectual treat that he gave us yesterday

Mr. K. Ahmed: He did put a query and referred to the Hindu Youth Movement.

Pandit Motilal Nehru: I think it is time for you to join the Hindu Youth Movement. (Laughter.)

Then Sir Denys Bray talked about revolution. Now, Sir, however, much you may roll your "r" in pronouncing the word "revolution", it has no more than its dictionary meaning, and professedly we are all peaceful revolutionaries. No one conceals the fact. The only difference is we are pledged against all kinds of violence. In all other respects it has been said frankly times out of number that we are revolutionaries. We want a revolution, but not of the kind which has for its aid violence and things of that kind. We have told you—and it is not a thing you do not know—we have told you how we propose to accomplish that revolution. It is to be—at least on our side—a bloodless revolution. We wish to organise ourselves to disobey your unjust laws and to make it impossible for you to govern the country by those laws. That is the way which is ours. We may or may not succeed, it may be an idle dream, very difficult to realise, but that is the only thing left to us, and in that sense we certainly are revolutionaries.

Now, Sir, coming to the Bill, I submit that it is a more retrograde measure than the first Bill that was introduced, and the arguments in support of it, which have so far been advanced, are more feeble and less plausible. In the short interval which has passed since it was first introduced in September, all that has happened is that the Executive Government has developed a voracious appetite, a more voracious appetite than it did in September, for autocratic power. It will no longer be satisfied with attacking the liberty of the individual, the freedom of movement, but it must needs also put its hand in the pocket of all and sundry, not the man concerned alone but everybody, and take as much as it can, as I will show you when I come to consider the provisions of the Bill. Another improvement that has been made, thanks to the trenchant criticism of my friend Mr. Neogy on the last occasion, is that the short title has been changed. It used to be "The Public Safety (Removal from India) Bill", and so it was. It was a Bill for the removal of safety from India. It was my friend, Mr. Neogy, who drew attention to it on the first occasion, and we now find it called "The Safety Bill", the words "removal from India" being scored out. So that the only redeeming feature of the Bill has been expunged, which showed its real nature; and is now left to us is a mere hypocritical camouflage which conceals the real intention and does not touch even the fringe of the evil. If a name has to be given to the Bill, I am disposed to call it "The Slavery of India Bill", No. I, because I expect another one to follow, or "The Safety of the Bureaucracy Bill", if you like, or, as an Honourable Member suggests, "The Public Danger Bill". The provisions of the Bill were discussed threadbare in the Autumn Session, and there is not very much more over and above what was urged on either side to be urged now. I will therefore not detain the House long over the provisions of the Bill, but just submit a few observations which I have to make on the main features of the Bill. But before I do so I owe an explanation to the House of why I have not raised the point of order which I had raised on the first occasion when the Bill was introduced in Simla. The House will remember that in the first Bill, as it was introduced, there was not provided even a semblance of a trial or hearing before any

judicial tribunal. When the Bill came out of the select committee, we found certain provisions inserted in it and the same provisions—perhaps improved I do not know—are to be found in the present Bill as it is introduced. There is a mention of some sort of trial and appeal, a farcical trial it may be; but so long as it cannot be said that you are dealing with a man without trying him—it may be that the trial or the hearing of the case as provided in the Bill is a mere camouflage—but so long as it is there, you have got to attack that and the purely legal question which I raised on the last occasion does not in my opinion arise. That is why I have not taken that point now. If you once assume that these provisions are there and that these provisions afford an opportunity to the person concerned to defend himself then on that assumption, although it may be a mere pretence of a trial, the purely legal question becomes a mixed question of law and fact and I cannot take upon myself to say however much I may believe in it, that the opinion of this House will be that the trial provided is, a mere farcical trial, a mere pretence of a trial and not a genuine trial. I would also like to clear the ground by trying to remove some common misapprehensions about communism, Bolshevism and nationalism. Now, the fact is that anything which militates against our pre-conceived notions of well ordered society is naturally unacceptable to us, but ever since the advent of communism and Bolshevism, every evil is invariably attributed to one of these. There is no doubt that communism contemplates a radical change in society, i.e., the existing society. So does socialism, but socialism has outlived the charge, but communism has not yet outlived it. Then again it must not be forgotten that there are various forms of communism and various grades of communism. For instance we talk here in this House of the theory and practice of Soviet government and the theory and practice of the propagandist communist associations as almost synonymous. These are entirely different things. There are forms of communism, which according to our present standards we call good and satisfactory forms of communism—and I suppose these were what my Honourable friend Mr. Gavin Jones was referring to—and there are also bad forms of communism, which according to our present standards we consider not to be acceptable. On the last occasion, there were supporters found in some parts of the House for both these forms, good and bad, and there were also of course those who were opposed to both. In fact, I remember I myself took some pains to show that things were not so bad in Soviet Russia as they were supposed to be. But this question only arises by way of answer to the generalisations made from the other side of the House, but so far as this Bill is concerned, I submit, it is perfectly immaterial. I do not believe that there is a single Member in this House, most certainly I am not, who is for importing communist theories and practices in any form or shape into this country at the present stage of its history. It may be that at some future stage developments might occur, but I am clearly of opinion that communism is not necessary or desirable at the present stage. I have expressed this opinion from various platforms even from communist and the Bolshevick platforms. I am not for it in my country at the present time. That being so, why need we waste time over discussing the various forms or over painting the horrors of Bolshevism and communism when it is common ground that we must not import communist theories and principles into this country at least as we are situated now.

Mr. K. Ahmed: So why not allow the Bill to be passed now?

Pandit Motilal Nehru: What is the question that remains now? The question that remains is: Is there a real menace to the country? I will assume even that. I will assume that it is a real menace. I will assume also that it is a real menace to well ordered government, although the House knows what my own ideas are about the present Government. Let us assume all that, and then proceed to consider the Bill and the remedy it provides. The question is whether or not it is a Bill which, instead of providing a remedy for the disease, has a very suspicious look of aiming at a very different thing which is far from an evil and is one of the good things which we are still allowed to enjoy.

I would like to deal with the general remarks made by the Honourable the Home Member before I go to the provisions of the Bill.)

Mr. President: The Honourable Member might like to continue after recess.

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

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

Pandit Motilal Nehru: Sir, Honourable Members have been looking for the principle of this Bill in various clauses, and we have had various statements made as to what the principle of the Bill is. My submission is that the principle of the Bill is a very simple one, and it comes to this: "Where the courts will not convict, give us power to punish." That is the principle of the Bill. You may conceal it in any embellishments of style, but that is the thing to which it resolves itself. "We cannot prove in the ordinary way and therefore we must have extraordinary powers." Why can't you do it in the ordinary way? The Honourable the Home Member has told us that the Government have evidence in their possession. What the nature of that evidence is, has not been disclosed to us; but what was done was that a number of incidents has been relied on between the September Session and now, and we are asked to connect those incidents with communist activities. My answer is that it is not possible for us to do so, knowing as we do, that there are other causes for those disturbances, which are admitted by the Government themselves. Of course, if it was an emergency legislation of the nature contemplated by the laws of all countries, if it was a case of rebellion or something else of the same nature, one could understand that the Executive should be invested with greater powers than it could ordinarily have in normal circumstances.

Mr. K. Ahmed: There is the war in Afghanistan.

Pandit Motilal Nehru: The reason in that case is not lack of evidence. The reason is lack of opportunity to go through the usual forms of the law. Never has any legislation of this character arming the Executive with extraordinary powers been passed. But in India the land of Ordinances, this power is asked for simply because the prosecution are unable to adduce evidence. An instance of this, Sir, is the Bengal Ordinance. It

was stated—and instances were given in support—that witnesses would not come forward to give evidence in Court, because they were terrorised and coerced, and that there had actually been cases of murder—perhaps more than one—of those who gave evidence for the prosecution. There is no such case here. On the contrary, what do we find? We are assured by the Honourable the Home Member that, so far as Indian communists are concerned, the action taken has been invariably successful. And, therefore, it is that he gives us a guarantee that this principle of the Bill will not be extended to any measure affecting an Indian communist. Then, what is the other evidence which is in the possession of the Government? It was said by the Honourable the Home Member that the Youth movement was getting tainted by these ideas of communism. Now, Sir, the Youth movement is not confined to India. It is a universal movement all the world over, and it is a movement which all well-wishers of their country welcome; because it is, after all, the youth of the country with whom the future rests. (Applause.) As for their connection with communism, I, standing here on the floor of this House, deny that it has any connection whatever with communistic ideas or communistic associations. But it appears from what the Honourable Mr. Keane said that the cry of independence is taken in this House to proceed from communism. There is no doubt that there is a strong school who have independence for India as their goal among the young men of the country. This is very natural; but they are amenable to your laws which cannot touch them unless they transgress the laws. You are at liberty to proceed against them when they do so; but I say it is a false charge to accuse them of communism.

Then, Sir, it was stated by the Honourable the Home Member that the declaration of 1919 of the Third International, and M. N. Roy's manifesto following it, led to some communistic activities in this country. But the answer to that was given by my Honourable friend himself in the very next sentence. He says: "As a result, we instituted certain cases, the Cawnpore communist trial, and we secured a conviction." In other cases too, he has told us that there was success. Six years have since elapsed, and there has been no complaint made by any official Member that anything like what my Honourable friend Sir Victor Sassoon asserted has ever happened in the country, *viz.*, that witnesses were terrorised and so on. When you can use the ordinary law, and that with unique success, I cannot conceive of any valid ground you can have for asking for extraordinary powers.

Then the riots of Bombay and the trouble at Calcutta have been relied upon. As to that, I submit that no satisfactory evidence has been adduced as to the complicity of the communists who had nothing to do with the originating causes of those disturbances. It is said that a man was murdered, I think, the Deputy President of the Millowners . . .

Sir Victor Sassoon (Bombay Millowners' Association: Indian Commerce): The weaving master.

Pandit Motilal Nehru: I beg your pardon, that the weaving master was murdered and that the Deputy President was threatened. The very fact that these people were chosen as victims shows that there was nothing in the nature of upsetting society and all the rest of it. On the very face of it, it appears that the motive was personal. May be, rightly or wrongly, these men believed that they had been ill-treated by their employers.

[Pandit Motilal Nehru.]

Then, Sir, my friend referred to a great procession of labour in Calcutta on the 19th January with flags inscribed "Long live the Soviet" and so on. Well, there has been a similar procession with a similar number of people before that, while the Congress was in session and another one after that. I am not sure whether this procession to which my Honourable friend referred was one of the processions which were organised against the Simon Commission, but one was organised about that date and among the flags "Long live the Soviet" I think the flags that were inscribed with "Go back Simon" were far more numerous than the others. As to the earlier procession I was an eye-witness of it. That was a procession, Sir, which also had some red flags and some inscriptions on them. It was made up of quite 25 to 30 thousand people. They assembled on the *maidan*. They were led by high police officials in charge; I think there was a Deputy Commissioner or some body of the same rank, and they were led into the Congress camp and there let loose upon us, the police withdrawing. Of course we did not want the police. What happened? We found them to be the mildest creatures on earth. They came in, they wanted to hold their meeting, and we welcomed them. We said by all means let them hold their meeting. All that was necessary was to adjourn the Congress meeting, which had not yet begun, for about an hour or so. They took permission to hold their meeting for an hour, and punctually at the stroke of the hour, they retired most peacefully and in a most orderly manner. In this interval I spoke to them. Many of my colleagues also spoke to them, and it was quite evident that all that these people wanted was kind words, kind treatment and help in their trouble. That was forthcoming and they made no more trouble but went away quietly.

Now the Honourable Mr. Crerar said that it had been decided to deal with Indian communists by the operation of the ordinary laws and he hoped to bring the dangerous movement under control by the operation of the ordinary laws.

The Honourable Mr. J. Crerar (Home Member): With the aid of this measure, if and when it is passed.

Pandit Motilal Nehru: You did not say that then.

The Honourable Mr. J. Crerar: I did, Sir, most expressly.

Pandit Motilal Nehru: Well, perhaps it was omitted from the summary that I have. But how is this measure going to help? The ordinary law ends in a conviction, in a sentence, and it is the deterrent effect of the conviction and the sentence which will influence the person who has these tendencies and these ideas; it is not the fact that you are proceeding unjustly and illegally against some other persons. That will simply put his back up. Then the Honourable Member put it to us pathetically "are we to sit idle and look on?" No I say "Don't sit idle and look on; you have evidence in your possession; bring it before a regularly constituted tribunal and take your chance as every other executive does". So far you have succeeded. Then he said: "Facts must be faced". Certainly I say face them by all means, but we refuse to face fancies. Facts we can face but not fancies. Then came the climax of the Honourable Member's speech. He said "We have acted on traditional British constitutional and legal practice". I didn't know where I was when I considered those words in

connection with the provisions of this Bill. Traditional British constitutional and legal practice on which the Government of Great Britain is based! I must say that the Honourable the Home Member has a very poor conception of the traditional British constitutional and legal practice; and I make bold to say in the presence of the Law Member that you cannot lay your hands upon anything in the British Statute law or constitutional practice which will lend colour to such extraordinary powers being left with the Executive in ordinary normal times.

Well, Sir, these were the general remarks made by the Honourable the Home Member, and I may as well dispose of one or two things which my Honourable friend Mr. Gavin-Jones tried to make out. First of all I was rather amused at his surprise that this Bill would be opposed. Well, I think that statement accounts for much of the fear of communists that he has. He relies upon the Pathan murders and workers' victory, and communal riots, and in the next breath he agreed that they were mostly the result of the appreciation of the rupee. The fact is, Sir, that these two men, Spratt and Bradley, are on the brain of every Member on the other side of the House. And yet the Honourable Mr. Gavin-Jones said "Oh they are not important people. The people that will come later on or may come, it is for them that we are trying to get this measure through". Well, what have these two men done? As we know, one was tried and acquitted. As for the other one, the charge against him is that he was actually present in Cawnpore, when the Eill was being discussed in Simla. Well, I was not aware that that was an offence. But what happened? There are other events connected with it. The moment the Bill was referred to Select Committee, Bradley bade a very pathetic farewell to the labourers and said "Now my work is done and I am going". Well, I have never seen Bradley, but if a hundredth part of what is stated about him is true, I would expect that he would not be the man who, simply because the Bill had been referred to Select Committee would say: "I now begin to shake and tremble and I must go away."

Then, Sir, a statement has been made not only by Mr. Jones but also from other parts of the House that a quarter of a million pounds has been set apart by the Soviet for propaganda in India. Now, Sir, what is the source of that? On the last occasion I read certain extracts to the House showing how the news of the Riga Correspondent of certain papers was manufactured and how news about the Russian Soviet was manufactured. There is an idle statement in a newspaper or in more than one newspaper that a quarter of a million pounds has been set apart for propaganda and that is readily swallowed by everybody who wants to support this Bill. Now, they say in one breath that Russia is tottering on its legs, that it is economically down and cannot survive more than a few years; and in the very next breath they say it can spend millions of pounds for its propaganda. I do not know how far human credulity can go.

The Honourable Mr. Gavin-Jones said, referring particularly to me and pointing to me "Suppose the British Government, this organised Government, is subverted, would I not find myself locked up in my own house, trembling and sitting in a corner of the house?" Well, I do not know what will happen when that contingency arises; but I can assure my friend of one thing that I shall not tremble so violently as he does at the mention of Spratt and Bradley.

[Pandit Motilal Nehru.]

Now, Sir, let me say a few words about this Bill. In the first place I draw attention to the fact, which has already been noticed in the course of the debate, that there is no mention of communism here anywhere in the Bill; but, of course, it may be said that although communism is not mentioned by name, we have given the definition of it, we have given what constitutes communism. Very well, I will take it at that. The first provision of the Bill I would draw attention to is clause 2 (iii) (a): person to whom this Act applies means any person (not being an excepted person) who—

“(a) directly or indirectly advocates the overthrow by force or violence of the government established by law in British India or the unlawful destruction of property or the unlawful interference with the ownership of property.”

Well, what is unlawful interference with ownership of property? That would include a change in the economic system if one were to advocate it. We know that there have been such interferences with the ownership of private property in the past; they are going on now and may be continued in the future. There was a time when roads and bridges were private property and tolls were taken. What is nationalisation of railways and nationalisation of industries, which of course are advocated not only by socialists but also by those who do not profess socialism—what is it but interference with rights of property?

An Honourable Member: It is not unlawful.

Pandit Motilal Nehru: So far it is unlawful because there is no law to legalise it.

Then we come to sub-clause (b):

“seeks to foment or utilise industrial or agrarian disputes or other disputes of a like nature with the direct object of subverting organized government in British India or with any object the attainment of which is intended to conduce to that result.”

It has been pointed out already and I fully agree with the Honourable Member who pointed it out, that this clause has nothing whatever to do with force or violence. Force is not mentioned. As for subverting the Government, I have already explained my position and the position of the Congress and of every Indian in the House. Unless it is subverting by force or violence, I submit it is not a crime at all under any law; and then not only that, but if we take the last part—“with any object which conduces to the said result”—I say that my friend, Diwan Chaman Lall was quite right when he said that every Congressman would come within it. Of course the Act will not apply to him because he is an Indian: but we have our affiliated Congress committees in many parts of the world; we have fraternal delegates from many countries and they can be laid hold of under this clause because they may not all of them be British subjects. Anyhow they are not Indians and there is no distinction made here. The Congress may advocate when the time comes non-payment of taxes. Is not that an object which conduces to the result mentioned in this section? It may be a good thing or it may be a bad thing for the Congress to advocate these things, but it is a fact that it does and therefore I say that no ingenuity can take out the Congress from this clause as it now stands. There is civil disobedience, there is passive resistance; all these things may conduce and are intended to conduce, to the result mentioned in this section.

Then sub-clause (c) says:

"is a member of, or is acting in association with, any society or organization, whether in British India or elsewhere which advocates or encourages, etc., etc."

As I have already informed the House, there are Indian Trades Unions; which as a matter of fact are not only associated, but affiliated actually to the League Against Imperialism: The Indian National Congress is an Associate Member.

Next, Sir, we come to the order of removal, in clause 3. It says:

"If the Governor General in Council is satisfied . . ."

How satisfied does not matter. Of course, we know what the usual means of the satisfaction of the Governor General in Council are; they begin with a report from the lowest Criminal Intelligence Department officer and they end with a note by the Honourable the Home Member. It may be that a telegram comes from some distant part of the world from one of the agents of the British Government,—and it is well known throughout the world that the British system of espionage is the most perfect system in the world and that no other system comes near it,—a telegram comes that so and so has left for India and that he is a man of the kind contemplated in the Bill. Of course, the Home Member is not going to disbelieve that telegram, is not going to take any steps to see whether it is true or not. There is a telegram from a representative of the British Government and he gives certain information. It is put up before His Excellency, and, of course they know nothing about the man; but he is about to arrive, and as soon as he arrives he will be taken hold of. The most remarkable thing about that section is that it is not something done by that man which brings him under the purview of the law; it is the intention that that man is supposed to have: Then the Governor General is satisfied, and as soon as he is satisfied, there is no hope for the man.

Now, we come to clause 4, and that is the money clause, which, as I have said, gives power to the Executive to put their hands into the pockets of all and sundry and relieve them as much as they like of what they possess. Now, examine for a moment the language of that section. The first clause is supposed to deal with what is called 'Red' money received from outside. Now, we know there is our friend Mr. Joshi, who received money from outside. That money he spent for a very good purpose, namely, to save the women and children of the strikers from starvation. But our virtuous Government feel that a thing of that kind should not occur and decided that:

"any monies, securities, goods or credits have been or are about to be transmitted from any place outside British India to any place in British India by or on behalf of any such person as is described in sub-clause (a)."

and so on,—now, mark the language. The object here does not come in at all; it is the person. If the person is not an excepted person and if he sends any money—it may be for charity or it may be for anything,—that money you can seize at once.

Then comes sub-clause (b), which is even more monstrous. This sub-clause says that:

"any monies, securities, goods or credits, or the sale proceeds of any securities or goods, are intended to be applied in British India in accordance with any directions or instructions given from outside British India by any such person, society, or organization", etc.

[Pandit Motilal Nehru.]

Now, Sir, that clause deals not with money which comes from outside, but with money which is in British India, and the one element which constitutes the whole offence is that it is to be applied in accordance with any directions or instructions given from outside British India by a person who is not an excepted person, that is to say, quite apart from what those instructions are, and quite apart from the fact whether the money was received from outside or whether the money is of India, the hard earned money of the man. Now, Sir, the League against Imperialism and various other nationalist and socialistic bodies in various parts of the world have recommended and advocated the boycott of the Simon Commission and things like that. Remember again, the nature of the instructions is not at all material. The moment the man says, "spend this money in charity; those are the instructions received from outside", he comes under this clause. All that is necessary is that the money is in British India and that it is to be applied under instructions from outside British India. What those instructions are is immaterial. They may have nothing to do whatever with anything of the nature contemplated in sub-clauses (a) and (b) of clause 2. Now, I would ask my friends of the European group if they have really considered this question carefully. What will it lead to? Let me put a case before them. There are tea merchants over there on those Benches. Who of them will not willingly and gladly welcome the restoration of trade with Russia if they find a market for tea there? As we all know there is. It has been in the past a very good market for Indian tea, and here are the people largely interested in that trade. Now, if an order comes from Russia for tea and the man who orders the tea opens a credit,—because that is the first essential,—I do not think any of my friends would be so careless as to send out tea or any other commodity without any guarantee for money. The usual practice will be followed, and the man dealing with them would open a credit with some bank. Now what happens? The money which is in the Bank has got to be spent under the instructions of the person who has sent it. Now, let us say the Soviet Government orders so many thousands of chests of tea and deposits a certain amount of money in the bank to cover the cost. That very moment the Executive can pounce upon that money. They might say two essentials constitute the offence, first money which is here in the bank, and second money which has to be spent under the instructions of a Soviet agent,—and the offence is complete. I don't think my friends could possibly have realised the far-reaching consequences of this clause. (*An Honourable Member from the Swarajist Benches*: "They are reading it".) It all depends upon the point of view from which you approach the consideration of this Bill. The point of view of my friends of the European Group is one, and the point of view of this side of the House is quite another. We, as is well known, take everything with a considerable amount of suspicion. We examine every word; we see how far the language can be stretched, and then we find out the hardships of the law. The point of view of my friends over there is safety; they are safe whatever the interpretation of the law is. They are the last persons who will be suspected of any dealing with communists and therefore, they would be the last persons whose accounts would be examined in the bank or whose deposits would be forfeited. They know that they will not be touched and it does not matter if the law is so framed that it can touch

Mr. K. Ahmed: It is ill gotten money.

Pandit Motilal Nehru: But then what happens to the Congress, Khilafat and other funds, in fact to all public funds which receive any contribution from outside the country? They are at the mercy of the executive under these two clauses. I say if a man who comes under the definition—I shall not call him a communist—sends some money to Khilafat funds (*Mr. K. Ahmed:* "O, the Swaraj Party.") and earmarks it and says that that is to be spent for the building of a mosque, I challenge anybody to show that that will not come under this section.

Mr. K. Ahmed: It is for you to prove that you had spent the money on a mosque. Let Mr. Joshi say so and prove that he did so.

Pandit Motilal Nehru: You are not likely to get it. What is the use of it? (Laughter.) As I have said, look at the section, examine the thing. You may be very safe in your position, but you are not safe from the provisions of the Bill. Then comes forfeiture and so on. Again, you may enter upon, and search, for any monies, securities or goods in any premises where they or any of them may reasonably be suspected to be, and may seize the same wherever they may be found. Now, I ask, would a Congressman, would a member of the Khilafat, or a member of any public body which has to do with funds, be safe from that. We, who know the source of the information to the Governor General, and what poison has been instilled into his ears, we want safety in the law and not safety in your pious intention.

Now, we come to the very much boasted provisions which look like a judicial trial. The High Court is placed first as the dignity of that Court demands. What power has the poor High Court got? The High Court can only say this, that this man is an Indian, and this other man is not an Indian. That is all, and the jurisdiction ceases. It can only say that this man ordinarily resides in India, and the other man does not. Look at the section:

"The High Court may, on application made by or on behalf of any person in respect of whom a removal order has been made, set aside the order"—

On what ground?

—"on the ground that such person is an excepted person, and on no other ground." So that the High Court can only say, who is an excepted person—a British Indian, or a subject of the Indian States, or an Englishman who has been residing in this country for more than five years. Therefore, the poor High Court, with all the splendour and pomp surrounding it, is precluded from going into the act of the man, and seeing what wrong he has done. All that it will do will be to say: "Here is Pandit Motilal Nehru; well, I know he is an Indian. Here is James Watts or somebody, he is not an Indian." Need you trouble the High Court for that? Anybody can tell you—and the information of His Excellency the Governor General cannot be wrong at least on this particular point—whether a man is an Indian or is not an Indian. (Laughter.)

Mr. K. Ahmed: They are sympathetic all the same to an Indian.

Pandit Motilal Nehru: Yet the jurisdiction of the High Court is limited to that and to nothing else. And then what is to be done? This offence is put on the same level as an offence of murder. Seven days' time is

[Pandit Motilal Nehru.]

allowed to a murderer for his appeal. We have got seven days time for the man to appeal. That is section 7. Within seven days he has got to appeal. On the eighth day he may be too late. Now, what happens after he appeals? Then comes the provision of law upon which my Honourable friend, Mr. Keane,—I am glad that he has been roused—very much relied. He said, three experienced Judges, and what more do you want? This man is to be brought up before three experienced Judges? I say that if this man were to be brought up before three angels, they would not be able to do anything for him. And why? Simply because, though the Judges are there, they are crippled, they cannot exercise their function.

Mr. K. Ahmed: Why?

Pandit Motilal Nehru: Because the evidence is one-sided, because they are told not to lay the whole of the evidence or the facts before the accused. What can a Judge do in those circumstances? How can he possibly expect the case against the accused to be disproved unless the accused knows what that case is? All that you give to the accused is a general statement. These three learned Judges sit there. The Counsel of the accused has no access to the documents, the confidential documents, documents which will be marked confidential, and the accused, poor man,—what can he do? So, the poison is there to taint the fountain of justice and the man is not made acquainted with the allegations and evidence against him. For the rest he is asked to show cause. My Honourable friend Sir Victor Sassoon laid great stress upon the fact that, while in Australia there is only a Board, here you have three experienced Sessions Judges of more than five years standing. But what are they to do? What can they do, unless they allow full scope to the accused person to prove his case.

Mr. K. Ahmed: Then go to the Select Committee and alter the position.

Pandit Motilal Nehru: I leave it to you. (*Mr. K. Ahmed:* “Why don’t you go?”) The whole point of the legislation is—and that is, I submit, the danger of laymen dealing with law—my Honourable friend, Sir Victor Sassoon, has from time to time admitted that he is a layman and that he is. . . .

Sir Victor Sassoon: Has always admitted it.

Pandit Motilal Nehru: But that is the danger. You should not have touched it. You say, here is a Board. What for is the Board constituted in those countries? If you look through the list of disqualifications, you imbecility, and so on. And when a man is brought before that Board, you will find they mostly consist of diseases, contagious diseases,—insanity, have only one Magistrate who is a Judge, and the others who are appointed upon the Board are most probably experts who have expert knowledge, and that is why the law provides for such a Board. Then, you must also understand that that law is not aimed solely at communists, although in one clause they are mentioned, but it is aimed really against the great mischief from which those countries suffer, and that is, by importing men who spread disease, men who are worthless, who are imbeciles, who are simply a drag on society, and they want to keep them out. Those are immigration laws. I say, “Please don’t give me these three Judges; give me three men from

the street, produce all your evidence before those three men, (Hear, hear), and let me criticise and cross-examine that evidence, and then you can do what you like with me". There is no use giving three High Court Judges. You might give three Privy Councillors. With that restriction on their powers they cannot help the victim. Then we come to the appeals against the order of forfeiture or prohibition order. Here 15 days are generously allowed. Perhaps that is enough and the same type of bench will be constituted. Here we have the words "or are about to be transmitted or are intended to be applied in any manner". The intention to apply is an offence. And on what materials is the accused to be tried? Those materials are not open to his scrutiny. This is called justice. Can there be anything more barbarous than this? There is the same protection as regards the confidential character of the facts and circumstances. Then comes the requisition to go into any bank, call upon the bank to produce any account whatsoever. You have to do that if you want to trace the origin of the money or the purpose for which it is used. You can go through the pass books and cheque books. If the cheque has been issued to a well-known communist, it is clear what the intention was. I think no Indian bank is safe. I know that the Imperial Bank is safe. I am not pleading here for the Imperial Bank. Remember that you are asking us to believe in your appraisal of the evidence and therein, I say, lies the monstrosity and the barbarity of these provisions. Then comes the punishment for the man who disobeys the order. He is asked to go away. If he simply sits at home he is guilty and then he is put before a magistrate and punished. Then we come lastly to the *carte blanche*—indemnity to all executive officials:

"Save as expressly provided in this Act, no removal order, no order of forfeiture and no prohibition order shall be called in question in any court."

So, the right of *habeas corpus* goes and all and sundry who are entrusted with the carrying out of these orders are indemnified. There is no action against them. It is a very happy state of affairs for those who have the power, but consider those who have not and who do not believe that the language will not be stretched against them. My Honourable friends there (pointing to the European Group) sit there quite content and satisfied like the pigeons of Kaaba. My Honourable friend Nawab Sir Abdul Qaiyum knows it and I may remind him of what the poet says:

Tū ai kabūta-e bām-e Haram che meedani
Tapīdan-e dil-e murghān-e rishta bar pā rd

meaning:

Thou, Oh pigeon of the roof of Haram
 What dost thou know of the agonies of birds
 With their feet tied.

That is the position. You are the pigeons on the roof of Haram. We are the pigeons with the string round our feet.

Sir, I am afraid I have trespassed too much on the patience of the House. There is one remark of my friend the Home Member which strikes me as giving some hope provided we are given the necessary instruments. What he said was—after deductions are made for adverse industrial and economic conditions, the originating cause has been found to be communism. I should like to know what those golden scales are which my Honourable friend has used, which enables him to say—after

[Pandit Motilal Nehru.]

deducting so much from the general troubles, this much applies to economic causes and this much to the intrigues of communism. If he has invented any such instrument, we shall gladly co-operate with him and try to weigh these things in his instrument and find out the weight of each. Sir, in conclusion I will only say that communism or any other set of opinions and theories can only be fought in the open. You cannot forcibly put it down. You have to defeat it in argument. Whether you allow the men holding those opinions to come to this country or not, opinions will come and you cannot stop them. The business of every government and every executive is to step in the moment the law of the land is transgressed, the moment any violent activities are undertaken which are against the law. Here by this Act you are punishing intentions, the intentions of people across the seas. You are going to judge those intentions here and deprive people of their money and, if any of them happen to come, of his freedom of action.

I submit, Sir, that while much has been said in other speeches about the terrors of communism, and some of the speeches—notably the speech of the Honourable the Home Member and that of the Honourable Sir Denys Bray—are speeches which may well be read and admired for their literary merit, yet for reasoning you find there is nothing but assumption, one thing wholly unconnected with another. Whatever has happened in these four or five months, that is due to the fact that this Act was not passed in the last session.

Sir, I mean no offence when I say that platitudinous pomposity is not argument, much less is it good administration. The best description that can be given of the principle that is involved in this Bill was given somewhere—I read it a few days ago—that it was a piece of arbitrary absolutism. I think that is a very apt description.

Sir, I do hope that no Honourable Member, at least on this side of the House, will vote in favour of this motion. I do beg the Members of the European Group to consider the Bill on its own merits, on its own language, on its implications, and then come to a conclusion independently of the very safe position that they enjoy.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I think that most of the Members present here to-day were also present in the Assembly at Simla when the predecessor of this Bill was under discussion there, and consequently, we have all of us been over the same ground two, three or four times,—and it is very difficult not to bore the House by repeating what has already been said, perhaps better, by previous speakers. I think the Honourable Pandit was himself conscious of this difficulty, and I am certain that nothing but a stern sense of duty could have constrained him to discuss the somewhat arid details of a Bill of this kind, to the extent to which he has done. I say a sense of duty, because, seeing that the Honourable Pandit did not see his way on the previous occasion to become a member of the Select Committee which was appointed to consider the Bill in Simla it was extremely good of him on this occasion to place at the disposal of the Committee, through his speech to-day, so many suggestions arriving from his laborious examination of the provisions of the Bill. It would be a sufficient reply, I think, to most of what he urged in the latter part of his speech, that the points taken were really Select Committee points.

I am sorry, Mr. President, that the Honourable Pandit has felt compelled, no doubt by a sense of duty, to leave the House at this juncture. At the opening it seemed to me that he had, in a most satisfactory manner, cleared up the difficulties which some of us on this side had felt in understanding the precise attitude of the Swaraj Party to communism and the activities against which this Bill is directed. It seemed to us that Diwan Chaman Lall had rather confused the matter, and perhaps inadvertently stated the case in a way which did not commend itself to his Leader. At the opening of the Honourable Pandit's speech that was my impression. He quite clearly stated that, while it was the avowed object of the Congress Party to subvert the Government as now established by law, yet they were pledged to non-violent methods, and consequently quite clearly did not fall within the danger of clause 2 (iii) (a) of the present Bill. But later on it seemed to me that the Honourable Pandit—I don't quite know what was in his mind—but I wondered whether it was not, a feeling akin to, jealousy that Government had actually proposed a repressive measure which was apparently not directed against the Congress Party, of which he is so distinguished a representative. Therefore he set himself to scrutinise the provisions of the Bill in order to see whether he could not trace a Machiavellian design somewhere.

I hope I can reassure the Honourable Pandit, and, perhaps I might put it this way, that, although usually he is our nearest and dearest, he does not always occupy the first place in our hearts and in the case of this Bill he is not even an "also ran" compared with Mr. Spratt and Mr. Bradley. He exerted himself to find reasons why the House should think that, as he put it, it was against Indian Nationalism and the Indian National Congress that the Bill was mainly directed. Clearly clause 2 (iii) (a) will not do, because the Congress does not advocate the overthrow by force or violence.

Pandit Motilal Nehru: There is no "force or violence" there.

The Honourable Sir George Rainy: Clause 2 (iii) (a) says:

"directly or indirectly advocates the overthrow by force or violence of the government established by law in British India."

We did not think of the Congress in that clause, and it is clearly not directed against the Congress, because, so far as I know, the Congress does not advocate the unlawful destruction of property or unlawful interference with the ownership of property, unless indeed the non-payment of taxes might be described as unlawful interference with the ownership of property belonging to Government.

Are we perhaps then to find the veiled attack on the Congress in clause 2 (iii) (b):

"seeks to foment or utilise industrial or agrarian disputes or other disputes of a like nature with the direct object of subverting organised government in British India."

It seemed to me that Diwan Chaman Lall yesterday very nearly reached the point of attributing that to the Congress as its avowed object. But if so, what a commentary on the Nehru Report. Was it really written to bring about the subversion of organised government?

Diwan Chaman Lall: The present Government in India.

The Honourable Sir George Rainy: I don't know what my Honourable friend's opinion may be, but I should have thought it obvious that the Nehru constitution was intended to set up an organised Government and in many respects it seemed to me a well and ably drawn scheme. The Honourable Pandit, however, seemed to think that the concluding words of clause 2 (iii) (b) might suffice to bring the Congress within the scope of the Bill because, as he said, non-payment of taxes, non-co-operation, civil disobedience and so on might be activities which were likely to conduce to the overthrow or the subversion of organised government.

Pandit Motilal Nehru: They are professedly that.

The Honourable Sir George Rainy: That may be so. But what does the clause say? The clause says:

"the attainment of which is intended to conduce to that result."

And unless the Honourable Pandit is prepared to assume on behalf of the Congress an intention to produce that result, I am afraid I cannot put any other construction.

Pandit Motilal Nehru: Professedly intended to produce that result. There is no concealment about it.

The Honourable Sir George Rainy: The clause says, "or with any object the attainment of which is intended to conduce to that result", namely, the subversion of organised government.

Diwan Chaman Lall: The overthrow of the present system of Government.

The Honourable Sir George Rainy: The Honourable Pandit has still one more string to his bow. The Bill must be directed against the Congress because there were a number of societies and associations in other countries, which felt sympathy for the cause of Indian nationalism and would wish to give it their support. That would become impossible, or might become impossible, under the operation of this Bill. I suppose he was thinking of clause 2 (iii) (c) which runs:

"is a member of, or is acting in association with, any society or organisation whether in British India or elsewhere, which advocates or encourages any such doctrine or activity as is described in sub-clause (a) or sub-clause (b) of this clause, or which is affiliated to, or connected with, any such society or organisation."

Here the question I should like to put to him is this. Are the only societies in other countries which are interested in the National Congress and the cause of Indian nationalism, those which advocate the overthrow of Government by force and violence?

Pandit Motilal Nehru: Are they not, some of them? Why only?

The Honourable Sir George Rainy: I bow to the superior knowledge of the Honourable Pandit. But surely if it be the case that societies of that character are those on which the Congress chiefly relies for support—well perhaps that might be a somewhat significant admission on the part of the Honourable Pandit. (Laughter.)

Now, Sir, to pass on, I do not wish to delay the House long. I know the House is already somewhat wearied with this debate, and I only want to deal with the most salient point in the case. Those who oppose the Bill have I think four possible lines on which they can attack it. One possible line is, to put it briefly, to deny or minimise the facts. It may be said, either that there is no real danger to India from foreign communism or that, whatever the danger may be, it has been overstated and exaggerated by those of us who sit on this side of the House. Here I must ask certain questions. Does anybody dispute that in Russia, which is the headquarters of the Communist Party, there is an organised party which aims directly at the abolition of private property, world revolution, and the dictatorship of the proletariat, and that, it avowedly sets itself to take measures to carry out those objects in every country of the world? I do not think that is in dispute.

In the second place, is it denied that there are at present in India non-Indians who are members of that Party? I do not think there is any doubt about that or about their sympathy with its ideals.

In the third place, is it not obvious to all of us who have been in touch with industrial disputes during the last year or eighteen months that, where they have come under the influence of the persons to whom I have referred, they have been embittered, exacerbated and prolonged to an extent which in previous years was unknown in India? Is it not a fact that in the case of these disputes, we have already had most widespread and rampant intimidation, we have had bloodshed, we have had hunger and suffering on the part of the labourers? Finally, in view of the association of these persons and the professed creed which they follow, is there not a real danger as to what might happen in India if Government stands by and does nothing? All I can say is that if people will only go to Bombay and Calcutta and see things for themselves, whatever views they may take about the remedies, I do not think they will really differ about the facts. (Hear. hear.)

Now, the second line which it is possible to take in resisting this Bill is to say that, although the facts may be so, the remedy is inadequate. Well, that is quite true. It was admitted by my Honourable colleague the Home Member, in his opening speech, that the Bill is not a radical remedy for the state of affairs which he deplored; and almost every one of us who has spoken on this side of the House admitted the same thing. Now, is that a reason, is that really a reason for saying that we will not accept the proposal because it does not do all that might be done. Does it not amount to this, that the patient ought to say to the doctor when he proposes a medicine which will do him some good but which will not cure him completely and at once, that the patient ought to say, "I will not have your medicine; I will only have one that will give me a complete cure". It may be a logical attitude, if you will, but is it a wise attitude, is it an attitude that is worthy of this House?

Then, there is another possible line of attack. There may be those who admit that the facts are as stated, and admit also that the remedy we propose will do something to improve matters, but that it is a remedy which only a Government fully responsible to the people of India has any right to apply. What does that attitude amount to? Does it not just amount to this that, although the action of the communist may result in very grave

[Sir George Rainy.]

injury to capital and to industry in India, and although it may result in inflicting severe suffering on the labouring classes, we will not take the measures which are necessary to prevent these evils because they cannot be taken by the right person? There again I would put the same question to the House, whether that be a logical attitude or not, is it a wise attitude? I do not think it is possible to give more than one answer to that question.

Now, Sir, I turn to the last line of attack which has been taken and which is open to the Members of the Opposition to take, namely, that whatever the facts may be, the remedy is one to which they object in principle and to which they cannot agree. Well, everybody understands that argument and everybody respects it. It is perfectly natural and I do not think that there is any one on this side of the House who does not understand the feelings on the other side of the House in this matter—and how difficult many of them must find it to associate themselves with any measure which has even the appearance of being a repressive measure. However, there is perhaps a little more to be said than that. I do not wish to revive the somewhat arid controversy which has already broken out as to what they do in Australia, or what they do in Canada or the United States of America; but practically the real point about it is this: I do not think there is any doubt that, since the War, practically every country in the civilised world has taken up the attitude as regards foreigners—I am dealing only with foreigners for the moment—that every country has taken up the attitude of saying to other countries: “You must consume your own smoke; we are not going to allow your citizens to enter our country in order to advocate revolution and upset our institutions.” In most of the Continental countries, so far as I know, the laws give peremptory powers to the Executive Government. And even in England, as regards aliens, the law gives very peremptory powers to the Home Secretary to deport without trial. My Honourable friend the Home Member, in his concluding speech on the second reading debate in Simla, made that very clear indeed. The difference between what we propose here and the position as it is in England today is that, whereas under this Bill powers will be given to the Executive Government to deport persons who are British subjects but are not Indians, so far as I know, under the English law, there is no power to deal with British subjects summarily without a trial in court and after conviction. That undoubtedly is a difference, but after all, it does not carry us very far. My Honourable friend Mr. Chaman Lal suggested that any Minister who proposed to take powers of this kind under a fully responsible constitution would have the fear of the electorate before him and would be slow to take action. Well, let us take the converse case. Suppose the British Government had reason to believe that in Great Britain Indian communists were giving a great deal of trouble, and that they were seriously apprehensive of the consequences that might follow, does the Honourable Member really think that there would be any particular difficulty in going to the constituencies in Great Britain with a proposal to confer on the executive Government a power to deport these Indian communists similar to the powers proposed in this Bill? I know Scotland better than England and I am prepared to say with regard to my own country that, if it were a question of deporting Irish communists, I know what the feeling would be, and I should be ready to face the verdict of any constituency.

Diwan Chaman Lal: May I ask the Honourable Member whether it is not a fact that there is a Communist Party in Great Britain, and whether any such laws have been demanded by any English politician against the Communist Party in Great Britain?

The Honourable Sir George Rainy: I am prepared to admit that I have never heard of any agitation for the removal of Indian communists from Great Britain. I understand there is one, but I suppose he can be regarded as completely immured within the walls of Parliament, and for that reason, as not an immediate danger.

However, Mr. President, I am not going to take any more time of the House—and I am afraid I have already taken up more than I meant to. I want, before sitting down, to add only one word. What is proposed in this Bill is this: that if British subjects, who are not Indians, come to India to stir up trouble and revolution, we want power to send them back to where they come from. Or, for the matter of that, if they send money to India to promote the same objects, we want to take power to get hold of that money and prevent its being used for those objects. The Honourable Pandit thinks it not right that we should have that power, and that everybody who is a communist should be allowed to come into the country and stay there and should not be expelled and that anybody who favours any cause of any kind should have power to send money into the country in order to support that cause. There is, however, one exception, as was evident from the debates of the last session. If a British subject wants to come in, to be a member of a managing agency or firm or as the director of a coastal shipping company, that is an improper thing, and the Honourable Pandit would not permit that. Or if he were to send any money to be invested in the shares of a coastal shipping company beyond the limit of 25 per cent., that is an improper object, and should not be allowed. (Laughter.)

In view of these facts, Sir, have not opposition speakers laid a good deal too much stress upon the constitutional privileges of "British subjects"? I am, Sir, for the fullest co-operation between different parts of the Empire, and I am against discrimination between the citizens of these parts. But in this particular matter, if British subjects from other parts of the Empire come to India to create mischief, and to take action which is likely to lead to violent and open revolution, then I would treat them exactly in the same way as if they were complete foreigners and aliens. (Applause.)

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, I rise to take the same attitude towards this measure as I did in Simla last September. I need hardly say that I also oppose my friend Mr. Gaya Prasad Singh's motion regarding circulation.

Before I proceed further, Mr. President, with your permission, I wish to refer to one remark made by Mr. Ranga Iyer in connection with the compliment which he was good enough to pay me yesterday as his "Leader" (Laughter.) I wish that Members would, both for the sake of Mr. Ranga Iyer and for my sake, not treat the matter as lightly as they appear to do. Sir, a remark like that in this House is usually made by reference to the Leader of a Party to which one belongs. Mr. Ranga Iyer did apply for membership of this Party . . .

Mr. President: Order, order. We have got a list from the Whip of the Party of which the Honourable Member is the Leader, which shows that Mr. Ranga Iyer belongs to that Party.

Sir Purshotamdas Thakurdas: I am just referring to that, Sir. He applied for membership to the acting Secretary, and as the Department required a list of members of the Party, the acting Secretary included Mr. Ranga Iyer's name in the list. When it was brought to my notice, I decided that until we had a full party meeting at which the application would be discussed, his membership should not be considered as complete. The question is to be decided as soon as Mr. Jinnah, the Leader of our Party, is here. Mr. Ranga Iyer knows this, and I think it is only fair to himself and to my Party that I should make this point clear.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): On a point of personal explanation, Sir. When I referred to Sir Purshotamdas Thakurdas as my leader I did not refer to him in any Party sense at all, for the very simple reason that he does not happen to be the Leader of the Independent Party. He is only the Deputy Leader, and I am generally accurate in my references. And for another reason, when I referred to him, I referred to him because of the influential position he occupies among a certain section in the country, and also for the very Oriental and unparliamentary tradition of referring to senior people as my leader. For, Sir, I have made previous references in this House, sitting on the Congress Benches, references to Pandit Madan Mohan Malaviya as my leader repeatedly, as any reference to previous reports will show, even though Pandit Madan Mohan Malaviya was opposed to me during the last General Election.

Mr. President: Order, order. Personal explanation cannot go further than that.

Mr. C. S. Ranga Iyer: Sir, one word about the application. I have not applied to the Independent Party for membership. The Secretary of the Party approached me and as I have not resigned my membership of my own Party, on whose Benches I could not sit for obvious reasons, I could not but for the Independent Party having the courtesy to offer me a seat on their Benches.

Mr. President: Order, order. The very fact that the Honourable Member sits on those Benches gives colour to the view that he belongs to the Party.

Mr. C. S. Ranga Iyer: Only temporarily. I am sitting on these Benches only temporarily.

Mr. President: Order, order. If these facts had been brought to the notice of the Chair, the Honourable Member would not have been allowed to sit on those Benches.

Sir Purshotamdas Thakurdas: I thank you for having given me permission to refer to this matter which I thought was necessary.

Sir, I do not think I need repeat to-day the main arguments on which I opposed the predecessor of this Bill at Simla. I wish only to refer, as shortly as I possibly can, to the reasons why, in spite of so much water

having flowed under the bridge in the shape of disturbances in Bombay and elsewhere since last September, the Indian commercial community have thought it right to give it as their considered opinion that this Bill before the House should not be allowed to pass in the form in which it has been presented.

I agree with the Honourable Member from the United Provinces, Mr. Keane, that what happens in other countries and what regulations there are in other countries do not matter to us here. I said at Simla, and I think I can repeat it here, that in order to compare things you must compare things which are alike. What is the good of talking of Australia and Canada and America when you have not in India in the Government the main protection that the people in these other countries have, namely, a Government removable by and responsible to the Legislature? Such comparisons, if I may say so, may be very entertaining from the point of view of the acute lawyer, but for a practical business man, I consider them to be a comparative waste of time of this Assembly.

Sir, there have been many references in this debate to the Indian commercial community and their representatives in this House. Why do the Indian commercial community disapprove of this Bill? Why do the commercial bodies in Bombay think so in spite of the disturbances which have taken place in Bombay—the latest was the one of which we read in the papers this morning and of which Mr. Gavin-Jones gave us some details, very incomplete though they were? Sir, the Indian commercial community do not want disturbances. They are afraid of bloodshed, they are afraid of anything which may come in the way of their ordinary business from day to day. The latest telegram from Bombay, I understand, is that at least two of the important markets there have been closed since yesterday owing to the recent disturbances. And why is it, Sir, that at least three of the bodies from Bombay, which are affiliated to the Federation of Indian Chambers of Commerce, have wired to Mr. Birla, the President of that Federation, that they are not for supporting this Bill? Surely my Honourable friends representing the European interests in this House do not take it that the Indian commercial community have lost all sense of what is to their interest? Both of us, the British commercial community and the Indian commercial community, have vested interests and if the Indians have not larger vested interests, they have equally large vested interests in the country. I have never been able to understand the way in which Members on that side of the House have made light of the opinion of the Indian commercial community. The main reason, Sir, is that the Indian commercial community consider this measure to be more of a political nature than of one affording relief to the industries of this country. It is true that there is a little of that relief to the industries of this country. But a good eight months have passed by. At least four months were wasted by the Government before they took the slightest action. If industries had to be protected, if industries were not to be allowed to go to ruin, what did the Executive Government do for four or five months when a lakh, and more than a lakh, of workmen in Bombay were allowed to be misled by all sorts of propaganda? I have never been able to understand why my Honourable friend from Bombay, Sir Victor Sassoon, who represents the Bombay Millowners' Association here, has never asked that question to the Treasury Benches. Sir Victor Sassoon has been very eloquent here in his appeal to us to take a responsible view and to give a responsible

[Sir Purshotandas Thakurdas.]

vote. Heaven alone knows which of the two sides of the House can be said to have been more irresponsible, whether the Government or this side of the House in their vote and the views that they have expressed till now.

Mr. H. G. Cocke: Better late than never.

Sir Purshotandas Thakurdas: Yes. I would even now say "Yes", if when Government start to move, you can convince the commercial community of their *bona fides*. Why this political mixture in this measure where Government say that they want to protect the industries of the country? Why not bring up the political part separately? If Government really are genuine about protecting the industries of the country, take just as much of it as is necessary for the protection of industries and I will to-day promise that I will vote for it. Communism, I am told, is habitually mixed up with politics. It is said to be a very clever mixture of politics and interference with industries. Take as much of politics therefore as is unavoidable, but why have your various clauses as wide as my Honourable friend Pandit Motilal Nehru so ably exposed them to be only a few minutes back? Is it Government's aim to go for the political worker in India in any way by this? If that is their idea, let me tell the House, the Indian commercial community will be prepared to undergo considerable suffering rather than allow the Executive Government, by their deliberate vote, to do anything of that nature.

The Honourable the Commerce Member said, one of the criticisms of this measure is that it is an incomplete measure. In fact he confessed it was an incomplete measure, but he asked: "Is this attitude of opposition, even to an incomplete measure, wise?" I propose, Sir, to reply to him. The incompleteness of the measure is just the part of the measure which exposes it to the largest amount of suspicion by the Indian public. What is the other half of the measure going to be? How are the Indians concerned in this movement going to be dealt with? Surely, neither the Commerce Member nor the Home Member wish to say that, as soon as these two precious men, Bradley and Spratt, are removed, the whole of this trouble will settle down? There are more Indians to-day actively at work in this nefarious business than Bradley and Spratt. How are you going to deal with these Indians? Are you simply going to wait till they are tired out? Are you going to wait as Sir Victor Sassoon and Mr. Cocke said, for them to say: "Now that our friends have been removed from India, let us take to some other means of livelihood"? What is the programme of Government regarding the Indian communist? I asked the question in Simla, and I paused for a reply. I have been asking the same question of various friends, who have been very kindly offering me advice to arrive at what they think is a reasonable decision in this matter, since I came up here. I have not yet come across any one who has been able to satisfy me on this score. I will repeat that question here and will pause for a reply.

An Honourable Member: The Home Member gave it.

Sir Purshotandas Thakurdas: Did he? What did the Home Member say? The Home Member said "We propose to try them by the usual ordinary processes." That means that you think you can get at the Indian communist agitator by the ordinary processes. Is the reply yes? I take it for granted, because somebody over there says "yes". Then,

why cannot you do the same with the Britisher? If you can get conviction against the Indian communist in the open Court by the ordinary procedure, why not do it for the Britisher? But I suspect that, under certain circumstances, you may not be able to get such mischief-mongers out of the way by the ordinary procedure. You therefore want some extraordinary powers. In fact, as Pandit Motilal Nehru said, you want to deal with people where the Court may not find them guilty. If that is so, then what do you propose to do with the Indian? Evidently you do not suppose to bring a measure before this House to deal with Indians—obviously not. Then the suspicion increases, how do you propose to handle the Indian communist? It is no use being blind to this main factor, which is really at the bottom of the opposition to this Bill. I personally have no sympathy with, or solicitude for, either Mr. Spratt or Mr. Bradley, or for any European who comes out here to preach communism. But here you have two men and you are making so much of it. The whole Bill seems to be based on getting these two Britishers out, and as somebody added, preventing a few more from coming in. As for preventing a few more from coming to India, unless your passport department is extraordinarily slack, you can guard against it. As regards getting these two men out, why not give a straightforward answer which will carry conviction to people who will not implicitly trust Government's discretion in the future? It is not a question of trusting either His Excellency Lord Irwin or the Honourable Mr. Crerar. It is a question of trusting the Governor General in Council whose past record in this matter does not inspire confidence. I therefore feel that when appeals are made of the nature of that of my Honourable friend from Assam, Mr. Cosgrave, or that of the Foreign Secretary, these friends of ours have got to tell us what they would do if they were in the same position as we are in to-day, namely, not being able to get exactly at what the programme of Government is and being put in this extraordinarily difficult and delicate position, namely, on the one side giving Government the widest powers possible, and on the other side seeing our industries, at any rate in Bombay—and I come from there—getting very very close to ruin.

Mr. K. Ahmed: That could be considered later on.

Sir Purshotamdas Thakurdas: Yes; if I have got to get it considered by my Honourable friend, I would have to wait for a very long time indeed. This, Sir, is the reason why the two wings of Indian commerce and industry differ so widely on this question. My friends Mr. Cocke and Sir Victor Sassoon, as well as Mr. Gavin-Jones from Cawnpore, have spoken correctly reflecting the opinion of their constituencies. On the other hand, my friend, Mr. Ghanshyam Das Birla has, in his very lucid speech yesterday, told the House what at least 22 or 23 members of the Federation of Indian Chambers of Commerce, whom he as President consulted, have wired to him. He read the telegrams from a few of these: two, or at the most, three, suggested to Mr. Birla that he might give conditional support to the Bill.

Mr. K. Ahmed: What about the Marwari community?

Sir Purshotamdas Thakurdas: The Honourable Member may wait until I develop it further. Sir, after the meeting yesterday I asked Mr. Birla if he would show me the telegrams. The conditional support is this: "We favour the principle of the Bill, but we do not like the arbitrary powers

[Sir Purshotamdas Thakurdas.]

which are proposed to be vested in Government by the Bill. Please get them amended." Now, I wonder if the Honourable the Home Member will consider even these three as supporting his Bill, because the whole principle of his Bill is that arbitrary powers should be vested in the Government. I therefore have come to the conclusion that of the 22 or 23 telegrams which Mr. Birla has received, all are in opposition to the Bill.

Sir, my friend from Bombay, Mr. Cocke, showed very great solicitude for the masses in this country. He said "Here are these three hundred millions who are illiterate and thus exposed to all this mischievous propaganda of the communist. Think of them." Is it our fault that after, say, 100 years of British rule (*An Honourable Member*: "150 years"), there should be 300 millions of people illiterate here? You ask us therefore, as a price for their illiteracy, that we should add one more shackle and come in the way of the little political activity which is in the country at present.

Mr. H. G. Cocke: You are missing the point.

Sir Purshotamdas Thakurdas: I am not missing the point. I will give way if the Honourable Member wishes to interrupt me, because I think the question had better be thrashed out on the floor of the House. What is the point I am missing? I say you mentioned the root cause to be the illiteracy of the masses. Your group will not look at the problem . . .

Mr. President: Order, order.

Sir Purshotamdas Thakurdas: I am addressing you, Sir. (*Laughter.*) The root cause according to my Honourable friend, Mr. Cocke, is the illiteracy of the masses.

Mr. H. G. Cocke: No, no. I did not say that the root cause of the trouble was the illiteracy of the masses; the root cause is the communist doctrines that have been preached and I say they appeal to the masses, and I say it is for the Members in this House to protect the masses.

Sir Purshotamdas Thakurdas: Exactly; why are they able to appeal to the masses in preference to others? Because of their illiteracy. And who is responsible for the illiteracy? The Opposition here?

Mr. H. G. Cocke: I did not go into the question of responsibility.

Sir Purshotamdas Thakurdas: That is the point: Mr. Cocke will not go as far as he should; he only goes half way and draws his inferences. My complaint is that the European Group will only go as far into a subject as suits them, and that is what I most strongly object to. I want them, in truth and in all sincerity, to go right up to the farthest point that an argument may lead them to, and then come to a conclusion, and I guarantee my Honourable friend from Bombay that his conclusion and mine will not differ very widely.

Mr. H. G. Cocke: May I suggest that the Honourable Member should try, in Select Committee, to put some educational provisions into this Bill?

Sir Purshotamdas Thakurdas: Ah! If the Honourable the Home Member will say that, not only the educational handicaps, but the two or three others which Honourable Members on this side of the House mentioned,

are going to be considered by the Select Committee and provided for in the Bill, I am certainly prepared to wire to my Chamber for their approval to my joining the Select Committee. Therefore, Sir, what I was pointing out was. . . .

Mr. K. Ahmed: What about your Party?

Mr. President: Order, order.

Sir Purshotamdas Thakurdas: My point is that the appeal is put forward for the masses. I wish those who make that appeal had also looked at the very *raison d'être* of their appeal.

The next appeal made was by my friend Mr. Gavin-Jones. He said that the fabric of Indian industry was breaking down. Now, Sir, if the fabric of Indian industry is breaking down, surely there are several important economic and other reasons for the deplorable condition. Can you afford to overlook these?

I cannot help feeling that what we really want is the confidence of the people in the measure which is before the House. I mean the confidence of the larger public outside, and you cannot have that confidence unless the Government care to look at facts as they are and not as they want them to be. The Government, as at present constituted, have not the confidence of the people at large; the people are not prepared to trust them; they are not prepared to vest anything in Government at their discretion. All that the people say is, if we cannot help things,—well, the Indian is a man who believes in *Kismet*,—all that the people will do is, they will sit down and say, "Let the worst happen; let the Government move at the time they want". But if anybody were to go round to convince the people about a measure like this, in which you have an upper layer with a little relief to the industries, mixed up with a substantial portion which may go against the political movement, a measure like that is not one which will appeal either to the people at large or to this side of the House. I therefore feel that what is required at this juncture, Sir, is not a Select Committee, but a conference between either the Honourable the Home Member, or if it so pleases the Government, His Excellency the Viceroy and some members on this side of the House. If the Government are prepared to modify this Bill to the extent of taking out of it all that part which threatens the political activity of the country, I mean the genuine political activity of the country, a measure like that alone, is what would commend itself to this part of the House.

While nobody like the Regulations or any of these repressive laws, even this Bill which is brought up here is not one which replaces any of the repressive laws. The Repressive Laws Committee said that the Regulations and other repressive laws should be replaced by regular enactments. This Bill, as far as I am aware, does not replace anything at all. It is an additional weapon to the existing Acts, which are already in the armoury of the Government. It is to replace nothing; all other repressive laws are to remain as they are. I personally feel that, as long as we have the present form of Government, we could only have a comparatively small say regarding these repressive measures. But if the Government want this House to pass any measure, which is a Regulation on a smaller scale, vesting the Government with wide discretionary powers, they can only do it by convincing the House that this replaces one of the older measures.

[Sir Purshotamdas Thakurdas.]

I therefore feel that, instead of a Select Committee, if a consultation or conference can be arranged, and if the objections raised here can be met by Government, as far as my constituency is concerned, Sir, I have their authority for saying that they are quite prepared to welcome any special measure dealing comprehensively with fomentors of industrial disorder and providing reasonable safeguards against arbitrary curtailment of the liberty of the subject.

Mr. K. Ahmed: What about your Party? They do not agree with you.

Mr. President: I think we might adjourn now unless Honourable Members would wish that I should continue.

(Several Honourable Members: "Go on, go on.")

The Honourable Mr. J. Oreray (Leader of the House): Unless there is a possibility of the debate finishing to-day, I think the House should adjourn.

Mr. President: When Pandit Madan Mohan Malaviya rises, we know what it means!

The Assembly then adjourned till Eleven of the Clock on Thursday, the 7th February, 1929.
