

9th July 1930

**THE  
LEGISLATIVE ASSEMBLY DEBATES**

**(Official Report)**

**Volume IV**

*(7th July to 18th July, 1930)*

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**SEVENTH SESSION**

**OF THE**

**THIRD LEGISLATIVE ASSEMBLY**

**1930**

*Chamber Fungayod.*



SIMLA  
GOVERNMENT OF INDIA PRESS  
1930

## CORRIGENDA.

In the Legislative Assembly Debates, Simla Session, 1930—

- (1) Vol. IV, No. 3, dated the 10th July, 1930—
  - (i) page 69, line 4 from the bottom, for "catchwards" read "catchwords".
  - (ii) page 72, line 7 from the bottom, for "conceiably" read "conceivably".
  - (iii) page 91, line 14 from the bottom, for "I do not.....Resolutions" read "I do not want to read to you all the recent Resolutions".
  - (iv) page 93, line 10, for "if your please" read "if you please".
- (2) Vol. IV, No. 4, dated the 11th July, 1930, page 129, line 22, for "those are in favour" read "those who are in favour".
- (3) Vol. IV, No. 6, dated the 14th July, 1930—
  - (i) page 291, line 13, for "I am aware" read "I am not aware".
  - (ii) page 306, for the reply to unstarred question No. 53, substitute the following :—
    - " Mr. G. M. Young : (a) Yes.
    - (b) A copy of my letter, dated the 24th March, 1930, to Pandit Thakur Das Bhargava is in the Library "
  - (iii) Page 340, line 20, for "intportance" read "importance".
- (4) Vol. IV, No. 7, dated the 15th July, 1930, page 464, from the first subject-heading delete the word "Ajmer-Merwara".
- (5) Vol. IV, No. 9, dated the 17th July, 1930, page 610, line 18, for "Mr. S. C. Mitra" read "Mr. B. N. Misra".
- (6) Vol. IV, No. 10, dated the 18th July, 1930, page 661, after the reply to part (c) of starred question No. 296, insert the following reply to part (d) of the same question :—
  - " (d) Certain concessions were given in the 1929 examination which was for departmental candidates only."

# Legislative Assembly.

## *President.*

*Sir*

THE HONOURABLE MAULVI MUHAMMAD YAKUB.

## *Deputy President.*

SIR HARI SINGH GOUR, KT., M.L.A.

## *Panel of Chairmen.*

MR. M. A. JINNAH, M.L.A.

MR. M. R. JAYAKAR, M.L.A.

SIR HUGH COCKE, KT., M.L.A.

NAWAB SIR SAHIBZADA ABDUL QAIYUM, K.C.I.E., M.L.

## *Secretary.*

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

## *Assistant of the Secretary.*

RAI SAHIB D. DUTT.

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# LEGISLATIVE ASSEMBLY.

Wednesday, 9th July, 1930.

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

## MEMBERS SWORN.

Mr. Usha Nath Sen, M.L.A. (Bengal : Nominated Non-Official) ; Pandit Bisheshwar Prasad Bhattacharya, M.L.A. (Benares and Gorakhpur Divisions : Non-Muhammadan Rural) ; Mr. C. V. Venkataramana Aiyangar, M.L.A. (Madras : Indian Commerce) ; and Mr. Herbert Tower Sorley, M.L.A. (Bombay : Nominated Official).

## ELECTION OF THE PRESIDENT.

(At this stage Mr. Deputy President vacated the Chair, which was taken by Mr. M. A. Jinnah, one of the Members of the Panel of Chairmen appointed during the last Session.)

**The Chairman** : In accordance with the provisions of rule 5A of the Indian Legislative Rules, the House will now proceed to elect a President by ballot. In compliance with the provisions of sub-rule (3) of that rule, I have to announce to Honourable Members that seven nomination papers, duly filled in, have been received on behalf of Maulvi Muhammad Yakub, and that three nomination papers, duly filled in, have been received on behalf of Dr. Nand Lal. The names of the proposers and seconders of Maulvi Muhammad Yakub are as follows :

**Dr. Nand Lal** (West Punjab : Non-Muhammadan) : Before you proceed further, may I raise a point of order, Sir ? The most important and constitutional question which I wish to raise before this House is in the following terms....

**The Chairman** : Order, order ; let me first place the proposal before the House. The names of the proposers and seconders are as follows....

**Dr. Nand Lal** : You have not heard me.

**The Chairman** : Order, order. The question must be placed before the House before any point of order can be raised.

The names of the proposers and seconders of Maulvi Muhammad Yakub are as follows :

### *Proposers—*

Dr. L. K. Hyder.

Mr. Badri Narain.

Nawab Sir Sahibzada Abdul Qaiyum.

Maulvi Abdul Matin Chaudhury.

Mr. Abdul Latif Saheb Farookhi.

Rao Bahadur M. C. Rajah.

Mr. B. Sitaramaraju.

[The Chairman.]

*Seconders—*

Dr. Ziauddin Ahmad.  
 Mr. B. Das.  
 Mr. Muhammad Ismail Khan.  
 Mr. Abdul Qadir Siddiqi.  
 Maulvi Sayyid Murtuza Saheb Bahadur.  
 The Revd. J. C. Chatterjee.  
 Maulvi Mohammad Shafee Daoodi.

The names of the proposers and seconders of Dr. Nand Lal are as follows :

*Proposers—*

Sardar Gulab Singh.  
 Mr. B. N. Misra.  
 Sardar Kartar Singh.

*Seconders—*

Rai Bahadur L. Panna Lal.  
 Pandit Chuni Lal.  
 Mr. N. P. Sahi.

Honourable Members will now come to the table and receive the ballot papers from the Secretary in the order in which I call their names.

**Dr. Nand Lal :** I wish to submit to the House that, according to rule 3 (1), I find that this House is not properly constituted and it is not properly presided over according to the following terms :

“ At the commencement of every session, the President shall nominate from amongst the members of the Assembly a panel of not more than four Chairmen, any one of whom may preside over the Assembly in the absence of the President and Deputy President, when so requested by the President or, in his absence, by the Deputy President.”

Now, I submit that only in the real absence of the President and Deputy President the Chairman can preside, but since the Deputy President cannot be deemed to be absent in the present circumstances, the Chairman, with due respects, cannot preside. The House for the present has thus ceased to exist. The Deputy President took part in the former part of the proceedings. His going away to the adjacent room now does not prove absence within the contemplation of rule 3 (1). Consequently, the election cannot be held. The Deputy President himself is one of the candidates ; only a few minutes ago he was present in the House. Therefore, with profound respect to you, Sir, in the Chair, I submit that the proceedings in regard to election cannot be held. Absence does not mean being present and leaving the Chair only for a while. It is not absence within the contemplation of the law.

**The Chairman :** I hold that it is open to the President or the Deputy President at any time to request the most senior Member of the Panel of Chairmen to preside over this Assembly, and I therefore rule out your point of order.

**Dr. Nand Lal :** My submission is that it could be done in some cases. No doubt whenever a request is made to the senior Chairman, or any other Chairman, he can occupy the Chair and can proceed with the election, but only in certain cases.....

**The Chairman :** Order, order. The ruling has been given and the Honourable Member must bow to it. Honourable Members will now proceed with the election as I have already announced.

**Dr. Nand Lal :** I should like to see the nomination papers.

**Honourable Members :** Order, order.

**Dr. Nand Lal :** Am I not entitled to see whether the other candidate has been duly nominated or not ?

**Honourable Members :** Order, order.

**The Chairman :** I request the Honourable Member not to persist in this conduct, and I hope that he will accept my ruling which is already given.

**Dr. Nand Lal :** I accept your ruling. But what I am submitting before this House is this, that I am entitled to see whether the other candidate is duly nominated or not, and I am entitled to see the nomination papers. Therefore this House will kindly permit me to see the nomination papers and find out as to whether they are valid or not.

**The Chairman :** Will the Honourable Member point out any Standing Order or rule which entitles him, at this stage, to examine the nomination papers ?

**Dr. Nand Lal :** I may invite the attention of the Chair to rule 5A, sub-rule (3) which reads :

“ On the date fixed for election, the outgoing President, or, if the office of President is vacant, the Deputy President or Chairman, as the case may be, shall read out to the Assembly the names of the members who have been duly nominated.....”

Now, Sir, it has got to be seen whether they are duly nominated or not and I am entitled to see it.

**The Chairman :** The Honourable Member is not entitled to see the nomination papers at this stage.

(The ballot was then taken.)

**The Chairman :** I hope all Members desiring to vote have recorded their votes ?

(After the votes had been counted.)

**The Chairman :** I have to declare that Maulvi Muhammad Yakub has secured 78 votes and Dr. Nand Lal 22 votes. I therefore declare that Maulvi Muhammad Yakub is duly elected ; and all that is necessary now to complete the election of the President is to secure the approval of His Excellency the Governor General required by section 63C (1) of the Government of India Act. In order to obtain His Excellency's approval, the House will re-assemble at a quarter to one of the clock to-day, and I therefore adjourn the House till a quarter to one.

The House then adjourned till a Quarter to One of the Clock.

The Assembly re-assembled at a Quarter to One of the Clock, Mr. M. A. Jinnah in the Chair.

## MEMBERS SWORN.

Mr. Brij Kishore, M.L.A. (Lucknow Division : Non-Muhammadan Rural) ; and Mr. Nehal Singh, M.L.A. (Bhagalpur, Purnea and Santhal Parganas : Non-Muhammadan).

## ELECTION OF THE PRESIDENT.

MESSAGE FROM HIS EXCELLENCY THE VICEROY AND GOVERNOR GENERAL.

**The Chairman :** I have received a Message from His Excellency the Viceroy and Governor General. The Message is as follows :

(The Message was received by the Assembly standing.)

•“ *In pursuance of the provisions of section 63C of the Government of India Act, I, Edward Frederick Lindley, Baron Irwin, hereby signify that I approve the election by the Legislative Assembly of Maulvi Muhammad Yakub as President of the said Assembly.*

SIMLA :

(Sd.) IRWIN,

*The 9th July, 1930.*

*Viceroy and Governor General.”*

I accordingly invite Maulvi Muhammad Yakub to occupy the Chair.

(The Chairman then vacated the Chair which was occupied by the Honourable Maulvi Muhammad Yakub amidst applause.)

**The Honourable Sir George Rainy** (Leader of the House) : It is my privilege, Mr. President, to be the first to offer my congratulations on your elevation to the Chair. For more than three years you have filled the office of Deputy President, and the vote of the House to-day is the best testimony you could ask of the impression made on the minds of Members by the manner in which you have discharged the duties of that office and of the esteem in which they hold you. (Applause.) They have now called you to a higher office and to heavier responsibilities. It is no light task to preside over the deliberations of the Legislative Assembly of India and to guide and control our debates. Speaking on behalf of the Government, I can assure you, if assurance is needed—and I do not doubt that in what I say I shall voice also the feelings of all sections of the House—that we have complete confidence in your judgment and impartiality, and are sure that you will be the faithful guardian of the dignity and independence of this Assembly. (Applause.) Let me say also, Mr. President, that you may rely on receiving from the Government all the support and assistance we can give you. Three years ago, on the occasion of another election, Sir Alexander Muddiman spoke of the close and intimate relations which must exist between the President and the Leader of the House. I could wish that, on your assumption of the Chair, you had found in the Leader's seat one with greater experience of leadership and closer acquaintance with all the mysteries of the Rules and Standing Orders than I can claim. But I should be altogether unworthy of the position which I hold if any effort were wanting on my part to give all the assistance and all the support which the Chair may

rightly expect from the Leader. I look forward with pleasure, Sir, to our association during this Session, and I congratulate you once more on the well merited honour which the House has conferred. (Applause.)

**Mr. M. B. Jayakar** (Bombay City : Non-Muhammadan Urban) : Sir, on behalf of myself and my party I offer you hearty congratulations, and associate myself and the members of my party with the felicitous words which have fallen from the Honourable the Leader of the House. I do hope, Sir, that your tenure of office, though short owing to the necessity of the case, will be a successful one. (Applause.)

**Mr. M. A. Jinnah** (Bombay City : Muhammadan Urban) : Sir, I am somewhat in a difficult position and stand on a different footing from the two Honourable Members who have preceded me. Nevertheless, I wholeheartedly endorse the terms in which you have been congratulated on your having been elevated to this very high office to preside over the deliberations of this Assembly. I said I am in a difficult position, Sir, because you have been my colleague for a number of years in public life, and during the long course of our relationship, not only have you won my respect and affection, but I think I shall be entitled to say that we have been great friends. Therefore, I am not in a position to speak what I feel, but I congratulate you as a friend and as a Member of this House, and I can assure you that my party and I will extend to you all the help and assistance that we can in discharging your heavy responsibilities as President of this House. Sir, I wish you every success in the discharge of your difficult duties and responsibility of high office. (Applause.)

**Mr. Amar Nath Dutt** (Burdwan Division : Non-Muhammadan Rural) : Allow me, Sir, on behalf of my party, to congratulate you on your election as President of this Assembly. Sir, our association with you in the past leads us to hope that you will be able to fill the high position to which you have been called worthily and that the uniform courtesy with which your conduct has been associated as Deputy President of the Assembly will continue. I once more congratulate you on behalf of the Swaraj Party on your elevation to this high office and wish you every success.

**Sir Hugh Cocke** (Bombay : European) : Sir, no words of mine are necessary on behalf of this Group to endorse what has already been said. We congratulate you very heartily. We are well aware, as the Honourable the Leader of the House has just pointed out, that the Standing Orders and Rules contain many mysteries and difficult points arise ; but we are quite sure that in your hands the procedure of this House and the dignity of the Chair will be adequately upheld. (Applause.)

**Nawab Sir Sahibzada Abdul Qaiyum** (North-West Frontier Province : Nominated Non-Official) : Sir, on behalf of the Central Muslim Party, I heartily congratulate you on your election to this high office, and I feel sure that you will prove yourself worthy of the great trust that the House has reposed in you and that you will do credit to the responsible position to which you have been elevated. (Applause.)

**Mr. President** : Gentlemen, I am really overwhelmed by the kindness which you have shown me, and I assure you that I am using no conventional language when I say that I am deeply grateful to you for the honour you have done me by electing me President of the Legislative

[Mr. President.]

Assembly, and for the exceedingly kind terms in which you have welcomed me this morning. I am greatly touched by the kind words which my colleagues, with whom I have had the privilege of working in this Chamber for nearly seven years, have said in the exuberance of their hearts.

Gentlemen, as you are aware, the term of my office will be very brief, but I feel sure that the confidence which you have reposed in me is more than a recompense for my short incumbency of the Chair. Gentlemen, I will have the honour to guide the deliberations of this House only for a week. Such power as I hold and such authority as I exercise are derived from you. It is impossible for me to forget that I occupy the Chair as your spokesman and your representative. It will be my sacred duty to see that the rights of individual Members of every party and every section of the House are safeguarded during the brief period that I shall occupy the Chair. God grant me strength to act with strict impartiality as long as I preside over your deliberations. But without your help I can do nothing, and in the performance of my duties I fully rely upon your co-operation, indulgence and assistance, which I hope and trust I shall never fail to receive. On my part I assure you, gentlemen, that I will never fail to give my co-operation and assistance to all the Members whenever necessary.

I thank you again most heartily, gentlemen, for the way in which you have received me this morning. (Applause.)

#### ELECTION OF THE DEPUTY PRESIDENT.

**Mr. President :** My election as President has caused a vacancy in the office of the Deputy President. In pursuance of Order 5 of the Standing Orders of the Legislative Assembly, I direct that an election to the office of Deputy President shall be held on Friday, the 11th July.

Each Member wishing to propose another Member as a candidate for election will ascertain that the candidate is willing to serve if elected and will hand to me not later than 12 noon tomorrow, Thursday, the 10th July, a notice showing the name of the candidate signed by the proposing Member himself and by some other Member as seconder.

As soon as the notices have been handed to me, I propose to read out the names of the candidates, together with their proposers and seconders, and if there is more than one candidate, to take the ballot on Friday, the 11th July.

1 P.M.

The Secretary will issue a circular informing Honourable Members of the method by which the ballot shall be held.

**Mr. President :** Before I adjourn the House, I would like to remind Honourable Members that His Excellency the Governor General will address the Members of both Houses in this Chamber this afternoon at 3 O'Clock and therefore Members are required to take their seats in this House before 2-45 P.M. This House stands adjourned till 11 O'clock tomorrow morning.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 10th July, 1930.

ADDRESS BY HIS EXCELLENCY THE VICEROY TO THE MEMBERS OF THE COUNCIL OF STATE AND THE LEGISLATIVE ASSEMBLY.

**His Excellency the Viceroy :** Gentlemen, it is my first duty this afternoon to offer to the newly appointed President of the Legislative Assembly my congratulations on his election to that honourable post. I am confident that he will fill it with dignity and distinction, and that he will have the support of all parties in the discharge of the duties that the House has entrusted to him.

3 P.M.

I felt some doubt, gentlemen, whether it was in accordance with your wishes that a session of the Council of State and of the Legislative Assembly should be held this summer. In reaching my decision I was influenced largely by the fact that, apart from certain official and non-official business which it was desirable to transact, it seemed clearly right that Members of both Houses should have an opportunity of discussing matters of public interest, on which also I wished, before the Legislature was dissolved, to have the privilege of addressing you.

This session will mark the close of the second Council of State and of the third Assembly, which last has already been extended by two sessions beyond its normal term. In certain quarters a desire in favour of a further extension for the Assembly has been expressed, and notice has been given of a Resolution to be moved to this effect. After giving the matter my careful consideration, I came to the conclusion that it would not be right on general grounds to extend the present Assembly further, and in consequence of this decision it appeared that the most convenient course would be to dissolve the Council of State in time to allow of the elections of both Houses to be held concurrently in September. This procedure I propose to follow. I realise that an election at that time will mean that those who have recently been successful in bye-elections can take part only in one brief session, and that it may for climatic reasons cause inconvenience both to candidates and electors. I greatly regret that this should be so, but the usual date of elections is impossible if it is not to clash with the approaching Conference in London, and for those potential candidates who may in due course be invited to go to England for this purpose, September elections would, I think, be accepted as the most convenient.

The return of His Majesty's Legation to Kabul marks the re-establishment of normal relations between His Majesty's Government and Afghanistan, and the end of a period of difficulty and stress.

The situation on our North-West Frontier, which for some time was such as to give cause for anxiety, is now I am glad to say giving place rapidly to more satisfactory conditions. I wish warmly to commend the efforts both of leading residents of the Province and of the official authorities to restore to the North-West Frontier Province the old relations of friendship and confidence between its people and Government.

On the North-Eastern borders of India, difficulties arose between the Governments of Nepal and Tibet over a question of the nationality of an under-trial prisoner, and led to incidents involving very serious tension between them. The possibility of hostilities between these two countries, both neighbours of India, was not one which India could regard with equanimity, and, with the consent of His Majesty's Government, special efforts were made to avert any such calamity. A friendly mission was despatched to Lhassa, and acting on advice thus tendered, the Tibetan Government took the steps necessary to remove the cause of friction. All is now well between the two countries, and both have expressed their gratitude for the friendly action taken by the Government of India.

[H. E. the Viceroy.]

As Honourable Members are aware, two important questions relating to Indians overseas have been engaging the attention of my Government for some time past. One of these arose out of the recommendations made by the Hilton Young Commission and by Sir Samuel Wilson regarding closer union in East Africa; the other concerned the basis of franchise under the new constitution in Ceylon. His Majesty's Government have recently announced their conclusions about both. I need not recapitulate them in detail, as they have received full and wide publicity in India. But I wish to make a few observations on the points of outstanding interest to India that emerge from these announcements.

As regards East Africa, the proposals of His Majesty's Government are to be referred to a Joint Select Committee of Parliament. When this Committee is set up, the Government of India will intimate their desire to place it in possession of their views on those proposals that concern the Indian communities in these territories. The conclusions of His Majesty's Government that the official majority should be retained in the Legislative Council of Kenya, and that the establishment of a common roll is the object to be aimed at and attained, are in accordance with the views consistently urged by the Government of India. Fears have been expressed in certain quarters that the scheme of closer union formulated in the White Paper may ultimately prove detrimental to Indian interests. I would however draw the attention of Honourable Members to the various safeguards provided in the scheme to protect racial minorities. They may rest assured that, should it later be found necessary, the Government of India will make the requisite representations on the subject.

The decisions of His Majesty's Government regarding the franchise in Ceylon recognise the claim of the Government of India to watch over the interests of Indian emigrants in the Colony. Explicit renunciation of their protection by an Indian applying for a certificate of permanent settlement will not be required. There is no intention of repealing or amending, to the detriment of Indians, any of the laws of Ceylon affecting their position or privileges, which they will continue to enjoy. As regards the future, the Governor will not be empowered to assent to any Bill diminishing or abrogating these privileges, unless he has previously obtained the instructions of the Secretary of State, or the measure contains a suspending clause. Fears have been expressed that the effect of these concessions will be neutralised by inclusion in the Order in Council of the provision that no holder of a permanent certificate, while registered as a voter, will be entitled to claim any rights, privileges or exemptions that are not common to all British subjects resident in the Island. This provision in no way affects the assurance of His Majesty's Government that there is no intention of curtailing the special privileges that are now enjoyed by Indians. There is no reason to think that, by friendly negotiation between the Government of India and the Government of Ceylon, the retention of existing privileges, and the extension to all Indians of concessions that the Government of India may be able to secure hereafter for Indians who do not enjoy the franchise by virtue of possessing certificates of permanent settlement, will not be achieved.

Before leaving the subject of Indians overseas, I should also like to draw the attention of Honourable Members to the fact that Ministers of the Union of South Africa have decided to postpone, till the next session,

the Bill to regulate the tenure of fixed property by Asiatics in the Transvaal, which was introduced in the Union Parliament in May this year. This delay, which we warmly welcome, permits the hope that the provisions of this measure, which as you are aware has caused considerable alarm among Indians in the Transvaal, may ultimately be adjusted to satisfy the legitimate claims of the Indian community.

I must now address myself to the subjects which constitute the principal and daily preoccupations of all concerned with the political future of their country. I desire to speak most frankly, for the gravity of the times requires that I should place all those who hear or read my words in full possession of my thought. I would remind you briefly of the background against which recent events are set. During the last half century, the development of political thought in India has been a continuous process. Particular events, notably the War, quickened the pace, with the result that the value of the reforms of 1919, marking though they did a very definite new departure, and affording wide opportunity for public-spirited men to serve their country, was in some quarters soon discounted in the forward movement of political opinion. One of the joint authors of those reforms had gained the confidence of political India in a way that it has been given to few British politicians to do, but even the position that Mr. Montagu held in Indian hearts did not suffice to protect from disparagement the scheme associated with his name. Many influences were at work, and of these the reforms were not the least effective, to make it certain that the nationalist spirit in India would develop, and that quickly, and that such development would be sought upon lines that British experience, and contact of the political classes with British education and practice naturally suggested.

Outside India this movement was imperfectly appreciated; and if in India criticism of what *was* occupied more place upon the stage than constructive thought of what *might be*, Indians might, not without some justice, reply that Great Britain, preoccupied as she is apt to be with pressing problems nearer home, had been slow to apprehend how rapid a transformation was passing over the Indian outlook. And so, bred of impatience on one side and lack of appreciation, mistaken for lack of sympathy, on the other, suspicion grew, aggravating as the years passed the difficulty of bringing to bear on these matters from either side the dispassionate judgment that their complexity demanded.

When I came to India, I came with one dominant conception of the work which in this generation any Viceroy must set out to try to do. Amid all his duties of administration, as the head of a great Government, no Viceroy, as it seemed to me, could for one moment forget that the principal duty, which he owed alike to those on whose advice he had been called by the King-Emperor to his office, and to those whom for five years it was his duty and his privilege to serve, was to devote all his energies to the maintenance of a progressive, orderly, and contented India within the orbit of the British Commonwealth. It is not necessary for me to recall the influences, naturally centrifugal, at work upon the other side. Differences, racial, with all that they imply in distinction of thought, differences of religion, affecting men's minds the more profoundly because their operation was more frequently in large degree subconscious: differences of environment and history; all these and many more combined

[H. E. the Viceroy.]

to make the task of effecting and preserving true unity between Great Britain and India one which would strain the capacity of the best material on either side. And yet I could feel no doubt that it was the one supreme purpose for which no effort was disproportionate.

It was also evident that, looking ahead, it was hardly to be expected that India, rightly sensitive of her self-respect, and growing every year more conscious of national feeling, should of her own free will desire to remain indefinitely a partner in the political society of the British Empire upon terms which implied a permanent inferiority of status. It was for this reason and with the object of removing avoidable misunderstanding on this vital matter, that His Majesty's Government last year authorised me to declare that, in their view, the attainment of Dominion Status was the natural completion of India's constitutional growth. That declaration was made and stands.

His Majesty's Government simultaneously announced their intention to convene a Conference, as widely representative in character as possible, in order that, after the submission of the Statutory Commission's Report, spokesmen of Great Britain and India might take free counsel together upon the measures which His Majesty's Government would later present to Parliament. That Report has now been published, and I do not think that any impartial reader, whatever may be his opinion upon the actual recommendations made, will deny that the Commission have made a weighty and constructive contribution to a most difficult problem. Great however as, for its intrinsic value, must be the authority of the Report, it was neither the desire nor the function of the Commission to anticipate the decisions of His Majesty's Government, reached after conference with representatives from India, or of Parliament itself. Their task was described by Sir John Simon in the following words :

"No one", he said, "should regard the Statutory Commission or its colleagues as though we were settling and deciding the constitution of British India. Our task is very important, but it is not that. Our task is that of making a fair, honest and sympathetic report to the Imperial Parliament. When we have made our report, then it would be India's opportunity to make her full contribution, which is right and necessary, to her future constitution, which would be framed by Great Britain and India together."

The duty of expressing an opinion now passes to the Government of India, and just as the Commission would have failed in their duty to Parliament, by whom they were appointed, if they had not presented a report that reflected faithfully their own conclusions, so the Government of India would fail in their duty if they similarly did not approach consideration of the Commission's Report with a full sense of their own responsibility. We have not hitherto been able to do more than give preliminary and tentative examination to the Report, and before reaching conclusions, I think it is right that I should have the opportunity of discussing the whole subject with some of those who can speak for non-official Indian opinion. I hope to have occasion to do this with some of the Ruling Princes and representatives of the States next week, and I should propose also to invite representatives of different views and interests from British India to meet me for this purpose as may be found convenient.

I am only too well aware of the degree to which calm examination of these questions has been prejudiced by the events that have engaged

public attention during the last few months. It will be remembered that, following upon my refusal to anticipate the discussions of the Conference, Mr. Gandhi, in spite of my declaration of the purpose of His Majesty's Government and of the free opportunity for mutual co-operation and accord which that Conference was designed to provide, decided to launch a campaign of civil disobedience, and proceeded to use his great influence to persuade his countrymen to adopt a course of open defiance of the law. Before this reckless plunge had been finally taken, I did my best to give a clear warning of the consequences that it must involve ; but the warning fell upon deaf ears. That campaign has now been in progress for some three months, and all of us, whatever be our judgment upon it, must be conscious of the damage in countless directions that has already been inflicted. Those who have identified themselves with this movement would have us regard it as a perfectly legitimate form of political agitation, to which resort is had only under pressure of regrettable necessity. I cannot take that view. In my judgment and in that of my Government it is a deliberate attempt to coerce established authority by mass action, and for this reason, as also because of its natural and inevitable developments, it must be regarded as unconstitutional and dangerously subversive. Mass action, even if it is intended by its promoters to be non-violent, is nothing but the application of force under another form, and, when it has as its avowed object the making of Government impossible, a Government is bound either to resist or abdicate. The present movement is exactly analogous to a general strike in an industrial country, which has for its purpose the coercion of Government by mass pressure as opposed to argument, and which a British Government recently found it necessary to mobilise all its resources to resist. Here it has been sought to employ more dangerous weapons even than this, and the recent resolution of the All-India Working Committee of the Congress, insidiously designed to seduce police and troops from their allegiance, leaves no longer room for doubt of the desperate lengths to which the organisers of the movement are prepared to go, and gave Government no option but to proclaim the body responsible for such a resolution as an unlawful association. He would in truth be a false friend of India who did not do his utmost to protect her from acquiescence in principles so fundamentally destructive.

I gladly acknowledge that there have been public men who, in the face of strong opposition, have not been afraid to condemn in unequivocal terms the civil disobedience movement. I could wish their example had been more widely followed. After all, is it not a very dangerous doctrine to preach to citizens of India that it is patriotic and laudable to refuse to obey laws or to pay taxes ? Human nature is often reluctant to do either, and if there is anything certain, it is that, if society is once thoroughly inoculated with these noxious microbes, the disease will perpetually recur, until one day it paralyses the Indian Government of the future, which by these methods it is sought to bring into existence. It may not be long before Indian Ministers are responsible, for example, for the assessment and collection of land revenue or other taxes. They would have little cause to thank those who had allowed the impression to gain ground that withholding of payments legally due was a proper method of voicing general political dissatisfaction with the established Ministry.

Therefore it is that I have felt bound to combat these doctrines and to arm Government with such powers as seem requisite to deal with the

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situation. I fully realise that in normal times such frequent resort by the Governor General to the use of his special powers would be indefensible. But the times are not normal, and, if the only alternative is acquiescence in the result of efforts openly directed against the constituted Government of the King-Emperor, I cannot for one moment doubt on which side my duty lies.

I have never been blind to the fact that, in the circumstances which we are considering, there would inevitably be serious clashes between the forces of Government and that section of the public which supports the movement, and that many persons would thereby unavoidably sustain physical injury. From the first moreover it was certain that, during disturbances, innocent persons must at times suffer with the guilty, where this has been the case, I deeply deplore it, and tender my personal sympathy to those concerned. But it is necessary to consider where the primary responsibility rests. When the fire brigade has to be called in to extinguish a fire, it frequently does serious damage, but though the fire brigade does the damage, none would suggest that it was responsible for the fire which was the original reason for its being called in, least of all when the fire was due to direct incendiarism. No good, therefore, is done by shutting our eyes as to where the original blame must lie, and whatever criticism there may be of those whose task it is to put out the conflagration, speaking generally, I have nothing but commendation for the servants of Government, both civil and military, who have been doing their duty with great steadiness and courage in conditions of the severest provocation and often of direct risk to their lives. Several—I speak of the police—have been brutally murdered, and in many cases they and their families are subjected daily to the grossest forms of persecution. I am glad to know that several Local Governments have sanctioned for them allowances for the extra duties which they have had to perform and have not been backward in bestowing rewards for exceptionally meritorious service.

The gravity of the present movement however does not deflect my judgment on the question of constitutional reform by a hair's breadth to the right or left. Honourable Members know that I am not fighting civil disobedience because I lack sympathy with the genuine nationalist feelings of India. I have never concealed my desire to see India in enjoyment of as large a degree of management of her own affairs, as could be shown to be compatible with the necessity of making provision for those matters in regard to which India was not yet in a position to assume responsibility.

I am therefore bound at this time to keep two principal objectives in the forefront of my mind, and in this regard I wish to state my position and that of my Government in the clearest terms. So long as the civil disobedience movement persists, we must fight it with all our strength, because, whatever may be the spirit by which many of its adherents may be animated, I believe from the bottom of my heart that it is only leading many of India's sons and daughters, in mistaken service of their motherland, unwillingly to expose her to grievous harm.

On the other hand, so far from desiring to secure so-called victory over a nationalist movement constitutionally pursued, I desire nothing more than to be able to help India so far as I can to translate her aspirations into constitutional reality. I would ask what fairer method could be devised for this than one by which all the various points of view can

be sifted in discussion, and where, not by majority voting, but by the influence of mind on mind in daily personal contact, a sustained attempt can be made to discover once for all the more excellent way, in which Great Britain and India, to the benefit of each, can walk together.

The date of assembly of the Conference has already been made public, and on behalf of His Majesty's Government I am now able to define its functions more precisely. After very careful consideration, His Majesty's Government have reached the conclusion that it would not be right to prescribe for the Conference any terms more limited than were implied in my statement of November 1st last, and that the Conference should enjoy the full freedom that those words connote. The Conference accordingly will be free to approach its task, greatly assisted indeed, but with liberty unimpaired, by the Report of the Statutory Commission, or by any other documents which will be before it. It is the belief of His Majesty's Government that by way of conference it should be possible to reach solution that both countries and all parties and interests in them can honourably accept, and any such agreement at which the Conference is able to arrive will form the basis of the proposals which His Majesty's Government will later submit to Parliament. From such a definition of the scope of the Conference, it is clear that His Majesty's Government conceive of it, not as a mere meeting for discussion and debate, but as a joint assembly of representatives of both countries, on whose agreement precise proposals to Parliament may be founded. The Conference will thus enjoy the unfettered right of examining the whole problem in all its bearings, with the knowledge that its labours are of no academic kind, and His Majesty's Government still hope that Indians of all schools of thought, whatever the attitude that some have hitherto taken, will be ready to share in this constructive work. I see no reason why, from frank discussion on all sides, a scheme might not emerge for submission to Parliament which would confound the pessimism of those who would tell us that it is impossible for Great Britain and India, or for the various interests in India, to reach agreement.

My Government is anxious to render to the Indian side of the Conference every assistance that it can, and for this purpose has decided to place a secretariat at its disposal, consisting of Sir Geoffrey Corbett, Mr. Latifi and Mr. G. S. Bajpai, whose knowledge of many different sides of administration will, I am confident, be of great value.

Gentlemen, I have only a short time left of my official term of office, and I would anticipate its end by concluding what I have sought to say, rather as a friend than as Viceroy and Governor General. As I look back over the time I have spent in India, I can recall no occasion on which I have consciously sought to work for anything but India's good. I believe I can claim to have learnt something of the feelings that fill the hearts of many Indians of all classes and all shades of thought, who have been good enough to extend to me a friendship which I shall hope to enjoy long after I have said goodbye to India and the present troubles are left behind.

India is a country the scale of whose history and physical features alike condemn those who would take small views. The monuments with which her land is enriched attest the faith and perseverance of her master craftsmen, and reprove those who would believe that any other qualities can serve the constitution builder, who builds not for himself but for

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futurity. I believe, as I have said often, that the right and the best solution of the riddle of India will be found only by Great Britain and India joining together in the search. But this demands faith, which we are at times tempted to think only a miracle could now give in the measure dictated by our necessities; and many would have us believe that the age of miracles is past. Yet in India more than elsewhere there is the capacity to apprehend the spiritual power by which things apparently impossible are brought to pass, and I at least cannot doubt that, could we but recapture the spirit of mutual trust between our two countries, we should in so doing liberate invincible forces of faith to remove those mountains which have lately hemmed us round.

I am in better position than others here to know the effect that would have been produced in Great Britain, if the hand of friendship that she extended last November had been generously grasped in the same spirit by those who could speak for India. Many things said subsequently on both sides would have been said differently or remained unsaid; new misunderstandings would have been avoided; and the whole setting of the problem would have been favourable to a more just appreciation of the several points of views that have to be brought to harmony. It seems therefore utter tragedy that at the moment when the chances of settlement were perhaps better than they have ever been, and the stage was set for a free and unbiassed consideration of the whole problem, the party of Congress should have thrown aside the finest opportunity that India has ever had.

I would hope that it might yet not be too late for wiser counsels to prevail, by which all the political thought of India might be harnessed to the task of welding into unity the elements that compose her life, and in conjunction with Great Britain devising the best means for giving constitutional expression to them. Thus two roads today lie open, one leading as I think to turmoil, disunity, disappointment and shattered hopes; the other guiding those who follow it to the India of our dreams, a proud partner in a free Commonwealth of Nations, lending and gaining strength by such honourable association. India to-day has to make her choice. I pray God she may be moved to choose aright.