

10th July 1930

**THE
LEGISLATIVE ASSEMBLY DEBATES**

(Official Report)

Volume IV

(7th July to 18th July, 1930)

SEVENTH SESSION

OF THE

THIRD LEGISLATIVE ASSEMBLY

1930

Chamber Kamgaod.



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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 "catch-words".
 - (ii) page 72, line 7 from the bottom, for "conceciably" 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 "inimport-ance" 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.

Thursday, 10th July, 1930.

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

MEMBER SWORN.

Mr. Goswami Maheshpuri (Central Provinces : Landholders).

PANEL OF CHAIRMEN.

Mr. President : In accordance with the provisions of rule 3 of the Indian Legislative Rules, I announce that I have nominated the following Members to be on the Panel of Chairmen :

1. Mr. M. A. Jinnah.
2. Mr. M. R. Jayakar.
3. Sir Hugh Cocke.
4. Nawab Sir Sahibzada Abdul Qaiyum.

THE NEGOTIABLE INSTRUMENTS (SECOND AMENDMENT) BILL.

APPOINTMENT OF SIR HUGH COCKE TO THE SELECT COMMITTEE.

The Honourable Sir George Schuster (Finance Member) : With your permission, I beg to move that Sir Hugh Cocke be appointed to the Select Committee on the Bill further to amend the Negotiable Instruments Act, 1881, for a certain purpose.

The motion was adopted.

THE MUSSALMAN WAKF VALIDATING (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

Mr. A. H. Ghuznavi (Dacca Division : Muhammadan Rural) : I beg to present the Report of the Select Committee on the Bill to amend the Mussalman Wakf Validating Act, 1913.

THE BENARES HINDU UNIVERSITY (AMENDMENT) BILL.

Sir Frank Noyce (Secretary, Department of Education, Health and Lands) : I move for leave to introduce a Bill further to amend the Benares Hindu University Act, 1915, for certain purposes.

***Rao Bahadur D. R. Patil** (Bombay Central Division : Non-Muhammadan Rural) : Mr. President, I rise to support the introduction of a Bill further to amend the Benares Hindu University Act, 1915, for certain purposes. The object of the Bill is really laudable, as it aims at strengthening the financial administration of the Hindu University by the formation of a Standing Committee that will examine the resources of the University and put a check on the application of the funds at the disposal of the University. Government have taken the right step in introducing the Bill in the financial interests of the University.....

The Honourable Sir George Rains (Leader of the House) : Is the Honourable Member in order in objecting to the introduction of the Bill at this stage ?

Mr. President : He is not objecting. He is a new Member and wants to support the Bill. I should not like to stop a new Member when he wants to make a speech.

Rao Bahadur D. R. Patil : The Government of India have resorted to this legislation after consulting the Vice-Chancellor and the Court of the Benares Hindu University. Some other changes are proposed by Government in accordance with the wishes of the Pro-Vice-Chancellor. So, I think there will be no opposition from this Assembly to the introduction of the Bill.

Mr. President : The question is :

“ That leave be given to Sir Frank Noyce to introduce a Bill further to amend the Benares Hindu University Act, 1915, for certain purposes.”

The motion was adopted.

Sir Frank Noyce : I introduce the Bill.

DEMANDS FOR SUPPLEMENTARY GRANTS.

MISCELLANEOUS.

The Honourable Sir George Schuster (Finance Member) : I beg to move :

“ That a supplementary sum not exceeding Rs. 2,66,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of ‘ Miscellaneous ’.”

Inadequate and Unsatisfactory Suggestions and Recommendations of the Indian Statutory Commission.

Mian Mohammad Shah Nawaz (West Central Punjab : Muhammadan) : Sir, I beg to move that the Demand for a supplementary grant of a sum not exceeding Rs. 2,66,000 in respect of ‘ Miscellaneous ’ be reduced by Rs. 100.†

Sir, the Report of the Indian Statutory Commission has been published, and it would be idle to deny that it has created difficulties in the way of those who, on both sides, are working for peace. Political India

* Speech not revised by the Honourable Member.

† (Inadequate and unsatisfactory suggestions and recommendations contained in Volume II of the Report of the Indian Statutory Commission and their probative value as part of the material to be discussed and considered by the coming Round Table Conference.)

as a whole has condemned the recommendation of the Commission as inadequate and unsatisfactory. I maintain, Sir, that no constitution framed by any Commission or by the British Government would be of much value, if it did not have behind it, the goodwill of those who would be willing to make it function. Judged by this test, I have no hesitation in saying that the recommendations and suggestions contained in Volume II of the Report are inadequate, disappointing and unsatisfactory. Now, Sir, the outstanding features of the Report of the Indian Statutory Commission are the ultimate constitution of India on a federal basis, the constitution of the provinces, the constitution of the Central Government and of the Army. I agree that the ultimate constitution of India should be a federal union, because in a sub-continent like India which comprises over 300 millions of people, which consists of so strange and unusual a collection of autonomous states, democratic provinces and backward tracts under the Central Government, no other constitution is possible. But I beg leave to point out that the Commissioners have postponed the completion of this federal union for an indefinite period. They might have recommended that the Federal Union could be started in British India, with autonomous provinces as units. They should also have either recommended, or at least suggested to the Ruling Princes, that they should have, in their respective States, Legislative Councils, on the lines of the Legislative Councils of major provinces of British India.

Mr. President : I understand this Demand is required for expenditure in India in connection with the Round Table Conference. I want the Honourable Member to let me know how he connects the Simon Commission's Report with the expenditure in India about the Round Table Conference. We cannot deal with the Simon Commission's Report in this way.

Mian Mohammad Shah Nawaz : I will explain. I understand the Round Table Conference is to be convened on or about the 28th October.

Mr. A. H. Ghuznavi : 20th October.

Mian Mohammad Shah Nawaz : This expenditure is in respect of the Round Table Conference.

Mr. President : In India.

Mian Mohammad Shah Nawaz : Of course in India, and further under next Demand also in England. But what would be the functions of the Round Table Conference ? The functions of the Round Table Conference would be to discuss the Simon Report along with other material that may be brought to their notice.

Mr. President : Order, order. That is not the analogy. I think the Honourable Member can raise all these points when he discusses the question of the expenditure in England, because all these questions will be raised at the Round Table Conference in England ; this has nothing to do with the expenditure which will be incurred by the office in India.

Sir Hari Singh Gour (Central Provinces Hindi Divisions : Non-Muhammadan) : Sir, may I suggest that, if the Honourable the Leader of the House would direct that we might have a general discussion on the whole question connected with the Round Table Conference and not excluding the Simon Commission's Report and the Central Committee's

[Sir Hari Singh Gour.]

Report and the other schemes on the Report which have been published or are about to be published in connection with the future constitution of India, and if Honourable Members on both sides of the House are thus enabled to have this unfettered right of expressing their views and ventilating their grievances in connection with the policy of the scheme, then the Government would be in possession of what is the central idea underlying the various speeches of Members of the various groups of the House, and then, Sir, you might limit, in connection with the cuts, the discussion to any particular item which any Honourable Member may wish to express his views on. We may recall, Sir, the procedure that has been followed in connection with the general discussion on the Budget every year. We have a general discussion, and after that we descend to particulars and confine our speeches to the particular grievance on the basis of which that particular cut is recommended. I suggest, Sir, that it would be to the convenience of the House if that procedure is followed also to-day.

The Honourable Sir George Rainy (Member, for Commerce and Railways) : Sir, I may say that if in your discretion you regard it as expedient and generally to the convenience of the House that the procedure suggested by my Honourable friend, Sir Hari Singh Gour, should be followed, I should not offer any objection, but the nature of the cut which has been moved by my Honourable friend, Mian Mohammad Shah Nawaz, is such that it really raises the same question, raised by the supplementary vote itself and it seems to me that it would be impossible for speakers in discussing this vote to avoid frequent reference to the Report of the Royal Commission and an explanation of their views about it. I shall certainly take no objection, subject to your ruling, to any discussion or reference to the Report of the Statutory Commission in the course of the debate. Whether we should have a general discussion on the Demand itself or on a particular cut is a matter in which I wish to place myself entirely in the hands of the Chair.

Mr. President : Order, order. I think the analogy of the general debate on the Budget cannot be followed on this occasion, because on a supplementary grant, as has been the established practice of this House, and for which there are several rulings of both the previous Honourable Presidents of this House, questions of policy cannot be discussed. Well, on this particular occasion, I have allowed the debate on the question of policy, simply because this grant was not contained in the original Budget. The demand for the Round Table Conference was not contained in the original Budget, and therefore the Chair has allowed a discussion on the general policy. But of course the analogy of the discussion of the General Budget cannot be followed here because there you can discuss the whole policy of the Government, while on this Demand there would be only a very restricted discussion on the policy of the Government as regards the Round Table Conference. Now this Demand, as I have already pointed out, refers to expenditure in India, and I think it would be better if the question of the policy of the Round Table Conference were to be discussed on Demand No. 85, where it would be more relevant. I think the discussion on this Demand should be restricted to the expenditure for which this Demand is required.

Mian Mohammad Shah Nawaz : With all due deference to you, Sir, Demands Nos. 75 and 85 cannot be separated. It is a difference without distinction. It is true that the Round Table Conference is to be convened in London. It is true that expenditure is to be incurred in India as well as in England and I submit that the recommendations of the Simon Commission can be discussed either under Demand No. 75 or Demand No. 85. I respectfully submit there is no difference at all between the two Demands.

Mr. President : I think I have expressed my view on the subject, and I do not want any more discussion about it. I think on this Demand the Honourable Member should confine his remarks only to the Demand under discussion and the general discussion on the policy of the Government we will have on the next Demand.

Mr. M. K. Acharya (South Arcot-cum-Chingleput : Non-Muhammadan Rural) : On a point of order, Sir. What would be the kind of amendments which you would rule as admissible under this Demand, if we are simply to deal with the expenditure in India and are not expected to go into the purpose of the expenditure ? I might submit that the expenditure in India will be incurred only on people going to the Round Table Conference. What kind of amendment would you allow under this Demand ?

Mr. President : If a discussion is raised on the expenditure which will be incurred in India, then, a discussion on that subject will be quite relevant under this Demand.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions : Non-Muhammadan Rural) : Sir, I gathered from your remark, that, when the next item is taken up, you would consider if the Simon Commission's Report could be gone into. I submit, Sir, that it is the custom in this House for Members to judge the purpose and object of an amendment from the brief statement of the Mover of the amendment, mentioned within brackets. We have the advantage in the present motion that the Mover has specifically raised the debate to discuss the Simon Report in the light of the Round Table Conference. In the next amendment of Mr. Acharya, the words mentioned in brackets are "Inadequate information regarding the function of the proposed Round Table Conference and the status of Indian delegates thereto". We have adequate information alike from H. E. the Viceroy's and Mr. Bann's statements that the Simon Commission's Report will be one of the subjects to be included in the discussions of the Round Table Conference. Therefore, the discussion, however cursory on the Simon Report, cannot be taken up under the next item but under this, and it would be more convenient for Honourable Members if you, Sir, can reconsider your ruling.

Sir C. P. Ramaswami Ayyar (Tanjore-cum-Trichinopoly : Non-Muhammadan Rural) : Sir, we are not discussing Mr. Acharya's amendment as I think that amendment is not now before the House.

The Honourable Sir George Rainy : Sir, may I make a suggestion for the convenience of the House ? The Government attach importance to what has fallen from the Chair as to the vote upon which a discussion can most suitably take place. It would be very unwilling to create a precedent which would involve a departure from sound principle.

[Sir George Rainy.]

But the occasion is a rather exceptional one, and what I venture to suggest for the general convenience of the House is that you, Mr. President, might authorise a single general discussion on one of the votes. But this is a matter which is entirely within your own discretion.

Sir C. P. Ramaswami Ayyar : Mr. President, while I bow to your ruling, may I take the opportunity to indicate exactly the scope of the two Supplementary Demands? Supplementary Demand No. 75 is required for expenditure in India in connection with the Round Table Conference to be held in London in October next, the expenditure to be shared between Home and Indian revenues. Therefore it will be remembered, Mr. President, that this amount will be shared between Home and Indian revenues. That is a feature which may perhaps be borne in mind in coming to a conclusion whether it is necessary to keep in water-tight compartments the discussion on this grant and on the following grant. Of course, for the purpose of convenience of debate, it might be more expedient to limit the general discussion either to this grant or to the other grant, but may I, Mr. President, join with the Leaders of Parties in suggesting to you, as a matter of general convenience, that the matter is so interconnected that it is not possible to separate Demand No. 75 from Demand No. 85. It may therefore conduce to the convenience both of the House and of the Chair if a general discussion takes place with reference to all the aspects of the matter and a solid and single vote is taken on it.

Mr. President : If this is the general wish of the House, I have no objection. In fact, I had thought that the Leaders of the various Parties would come to an agreement on this question and that they would give me this morning some agreed proposals. I was expecting them to tell me on what Demand they would like to raise the general debate. If, however, it is the general opinion of the House that the general discussion on both the Demands may be taken on one item, then I will allow the general discussion to take place only on this Demand, and it must be clearly understood that the same discussion will not be raised again when Demand No. 85 is under discussion.

Mr. M. A. Jinnah (Bombay City : Muhammadan Urban) : Sir, with very great respect, I do not quite endorse the statement that fell from the Chair that it is for the Leaders to come to agreement with regard to any point of order. It is entirely for the Chair to decide, and when a point of order is raised, it is entirely for the Chair to give the ruling.

Mr. President : In any case, I will allow Mr. Shah Nawaz to go on.

Sir Hari Singh Gour : Do I understand you aright that you have allowed the general discussion now under this head?

Mr. President : Yes.

Mian Mohammad Shah Nawaz : As regards the constitution of the provinces, the Commissioners think that they have given us provincial autonomy and they claim liberality for their proposals in this respect. It cannot be denied that there is a great advance. Dyarchy, which has been condemned throughout India and England, goes; and its place is taken by a unitary system of government, with Ministers in charge of all the provincial subjects with joint responsibility to the Legislature. The size of

the Council is very largely increased, and the voting strength is trebled. But if you go deeply into the matter, you will see that this provincial autonomy is not real and undisguised autonomy in the real sense of the term. It is not a complete provincial autonomy in which the powers of the Ministers would be unfettered. The powers of the Governor are still very wide. In fact, all the powers are centralized in him. He can select his Ministers, who will hold office during his pleasure. In the Ministry are to be included one or more officials. The word "more" is a very vague expression; it may mean two or it may mean three. I submit that the inclusion of the official Ministers in the provincial Cabinet is a step in the wrong direction. It is without precedent. These official Ministers would be influencing the decisions of the joint Ministry. These official Ministers would probably be in charge of law and order and finance. The House must remember that the Commissioners say that, in the event of a vote of no confidence being passed against the joint Ministry, these official Ministers can be reappointed on a new and reconstituted Ministry. This really means that the dyarchy remains in substance though, in form, it has been discarded. I submit, Sir, that the inclusion of the officials in the Ministry is entirely against the weight of the evidence that was placed before the Commission. The Central Committee and all the Provincial Committees, except the Committee of the Bombay Presidency, which were co-opted with the Simon Commission, have emphatically expressed their opinion that the Ministry should be without the officials. At least three Provincial Governments have said that the Ministry should be chosen from among the elected Members. But before selecting them, the Government should sound the opinion of the Council as a whole. Sir, I say without any hesitation that the official element should be eliminated. The official element should be eliminated because a Ministry which has one or two officials will not be working well. The timorous and subservient Ministers, as some of them no doubt are, will do what the official Ministers will tell them to do. An official Minister, who cannot be removed and can be reappointed, will always defy the wishes of the Legislature.

I now come to the overriding power of the Governor. The learned Commissioners lay down that the Governor can override the Ministry for two important purposes, namely, to preserve the safety of the province and the public tranquillity, and also to protect the rights of the minorities. I submit that, when you are making the Ministry responsible to the Legislature, no power should be given to the Governor to safeguard the public tranquillity. Ministers are the only persons who should see whether certain legislation or a certain ordinance is desirable or not. To this extent the overriding power, in my humble judgment, should be taken away from the Governor. I do admit that there are strong grounds for retaining overriding powers in the hands of the Governor in the interests of the minority.

I now pass on to the emergency powers of the Governor, which are given in paragraph 65 of Volume II of the Report. I think, with slight modification, the emergency powers must be retained, because these emergency powers are to be exercised in the event of a breakdown, in case the Governor comes to the conclusion that he cannot carry on the Government. In that case, it is quite right that he should take over the administration of the Government in his own hands and appoint delegates and assistants to help in the discharge of this responsible and onerous duties. But the Commission goes on to say that these emergency powers

[Mian Mohammad Shah Nawaz.]

can be exercised by the Governor for about twelve months. I submit that that is a very long period, the emergency powers should be restricted to a period of six months only. Sir, while I am discussing the constitution of the provinces, I desire to place before the House the case of the North West Frontier Province and Baluchistan. The Commissioners admit that the inhabitants of the North West Frontier Province are as intelligent and as clever as the people of the other provinces. They also say that if there is a deficit in the finances of the North West Frontier Province, that can be met by a grant-in-aid from the Central Government. That solves the financial difficulty. They give to the North West Frontier Province a Legislative Council which is only a Council in name. It is no Legislative Council at all, it is an advisory body, probably worse than a District Board of any district of the Punjab.

They say that this Council should consist of 40 Members, out of which 20 are to be elected and 20 are to be selected by the Chief Commissioner. Out of the 20 that are to be elected, there are to be (a) representatives of the Khans from a special constituency, (b) Members to be elected by the Municipalities and District Boards, (c) ex-soldiers, to be elected presumably by ex-soldiers. I have never understood why there should be a special constituency for the Khans. I must confess to you, Sir, that I do not believe in Khans and Nawabs, I only take my place as a commoner. Why should these Khans be elected from a special constituency? If these Khans are the real representatives of the people, as they pose to be, they should seek election from the commoners and not from a special constituency consisting of Khans and some big landlords.

An Honourable Member : Why not ?

Mian Mohammad Shah Nawaz : The Honourable Member is neither a Khan nor a Nawab. The days of Khans and Nawabs are gone. They must secure the goodwill of plebeians. The Khans have no business to be elected by a special constituency at all. They should seek election from the general constituencies as is the case in other provinces. Again, why should a certain number of the Members be elected by Municipalities and District Boards? The franchise in the North West Frontier Province should be widened, as wide as in other provinces. Again, Sir, what is the meaning of having a constituency for ex-soldiers? I do not understand how ex-soldiers are superior persons to civilians. No doubt in times of war, they may be formidable persons, persons, on whom we rely for the defence of the country, but no invidious distinction need be made between the ordinary citizens and ex-soldiers. Further the Commissioners recommend that the Chief Commissioner should preside over the deliberations of this moth-eaten form of legislature. Why should he preside over the deliberations of this Council? Obviously the presence of the Chief Commissioner would be restraining the members from the exercise of independent judgment. He should not be allowed to preside over the deliberations of the Council. Sir, the main reason given by the Commissioners for not granting a full fledged constitutional reform to the North-West Frontier Province is that the inherent right of a man to smoke a cigarette must necessarily be curtailed if he is living in a powder magazine. I respectfully submit, that this analogy is unfair. To begin with, it is not the inherent right of everybody to smoke or drink. My Honourable friend Sardar Gulab Singh and my Mussalman friends

would seriously object to smoking of cigarettes. Again it is assumed that the inhabitants of the North West Frontier Province are living in a powder magazine. I submit they are not. The North West Frontier Province is not so bad. I am stating my view about the settled districts and not of the tribal area. Sir, I maintain, and I say emphatically, that the people of the North West Frontier Province are not unruly and they are not living in a powder magazine. The inhabitants of five districts are living peacefully and calmly. Then, Sir, I submit, would it not be better that the powder magazine should be guarded by happy and contented guards? If the guard is unhappy, if he is discontented, he may set fire to the magazine. We all know that the defence of India really depends upon the goodwill, on the well being and on the contentment of the people of the frontier. The people of the frontier have unanimously demanded that they should have full fledged constitutional reforms on the lines of the other provinces. I am told by a very reliable authority that the present disturbances in Peshawar were due to the fact that the reforms were withheld from the people of the frontier. (Hear, hear.) We must give a full-fledged constitution for the frontier people. It is a demand of the Mussalmans, the Hindus, and the Christians, all alike. It is an all-India demand. It is the demand of the Congress. It is a demand of the Muslim League. It is the demand of the All-Parties Muslim Conference. There is no reason why full-fledged constitutional reforms should not be given to this province.

Mr. M. R. Jayakar (Bombay City : Non-Muhammadan Urban) : On a point of order, Sir. Was it your ruling that this was a fit opportunity for discussing the merits and the details of the Simon Commission's Report?

Mr. President : That seems to be the general opinion of the House.

Mr. M. R. Jayakar : May I mention that this is a cut relating to the expenses of the Round Table Conference? The Simon Commission's Report comes in only incidentally. A certain amount of reference to the Simon Commission's Report is inevitable. But may I submit that this is not a proper opportunity for considering the merits and details of the proposals contained in the Simon Commission's Report, because that is only very remotely connected with the subject before the House.

Mr. President : As the Government have no objection to deal with all these questions of policy, I do not think that I should restrict the debate.

Mr. M. A. Jinnah : The point is not whether the Government have any objection. I am very sorry that there seems to be some misunderstanding on the point. The point is not whether the Government have any objection or no objection. The point is not whether any other body has no objection or any objection. The point I should place before you, if you give me the opportunity, is this. There is not the slightest doubt that the grants before us are grants which we are asked to vote for the expenditure of the Round Table Conference; nothing else. What has that got to do with the Simon Commission's recommendations and their merits? That is the first question. I will read to you, Sir,.....

Mian Mohammad Shah Nawaz : Sir, can the Honourable Member raise this objection when I am in the middle of my speech?

Mr. M. A. Jinnah : Demand No. 75 says this :

“ This is required for expenditure in India in connection with the Round Table Conference to be held in London in October next for the purpose of considering the forthcoming general constitutional revision. The expenditure will be shared between the Home and Indian revenues. The total cost from the Indian revenues is estimated at Rs. 6,31,000 of which Rs. 5,44,000 is voted, Rs. 2,66,000 to be incurred in India and Rs. 2,78,000 in England under the control of the Secretary of State for India. The Standing Finance Committee has agreed.”

This is Demand No. 75. What has this got to do with the Simon Commission's proposals and their merits ? Or any other Commission or any other document ? The Simon Commission's Report is one of the documents which will be considered by the London Conference like any other document. It may be an important document, but nothing more. Are we called upon now in this House to discuss the recommendations of the Simon Commission in connection with a Demand of this character which has nothing whatever to do with the Simon Commission ? It is not a question whether Government have any objection or not. Government may have their own object in not objecting to it,—but we on this side of the House have the strongest objection to this irregularity, and feeling as we do, we can only appeal to you to give a ruling. If you agree with us, you should give a ruling that this discussion is out of order.

Sir C. P. Ramaswami Ayyar : Mr. President, very little is needed to enforce what has fallen.....

Mr. President : Order, order. I will not allow a discussion on this point of order. Of course Mr. Jinnah was not in the House when this point was raised by the Chair itself at the beginning of the debate. I read out this Demand, and I then explained what Mr. Jinnah has explained just now, and I found that it was the general wish of the whole House, official and non-official, that an opportunity should be afforded to the Members of the House to discuss the Simon Report on this cut ; (*Voices :* “ No, no ”) at least that is what I understood the general desire to be. Sir Hari Singh Gour got up and he said the same thing. The Honourable Sir George Rainy got up on behalf of the officials and he said that they had no objection if the policy of the Simon Report was discussed on this Demand. Therefore, in compliance with the wishes of the majority of Members of the House, I thought it would be better if I allowed the Honourable Members to say what they have got to say about the Simon Report and other things connected with the Round Table Conference, and I cannot go behind that ruling now. If the Honourable Member had been in the House at that time, probably he could have induced other Honourable Members to agree with him, but now as the discussion has been started, I cannot go behind that ruling. At the same time I would request Mr. Shah Nawaz not to go into the very minute details of the Simon Report. It would be better if the Honourable Members would only refer to the policy of the Report in a general way and also to the other matters regarding the constitutional advance of India. But it would certainly be a misuse of the privilege of speech if the Honourable Members go into minute details of the Simon Report in this discussion.

Sir Cowasji Jehangir : Sir, I am raising a new point of order. This is a cut for Rs. 100 on the Demand as a censure for the contents of the Simon Report. If that is in order.....

Mr. President : Order, order. That point was raised and a ruling was given. I cannot reconsider my ruling three or four times.

Mr. M. A. Jinnah : Sir, I am sorry I was not in the House when this point was raised. But I gather from what you said just now and I was under the impression that the Chair would probably rule it out of order. But you said you did not rule it out of order because you felt that there was a general desire to adopt that course. That impression may have been created in your mind, but that is not correct. There has been no such general desire, because we think that this is totally irrelevant. Not that we are afraid of discussing the Simon Report and expressing our views on a proper occasion. But in order to correct a misunderstanding I must say that there was no such general desire on this side of the House at least. You yourself felt that this was not in order, but as there was no serious objection raised, you allowed it. But I am pointing out to you now most emphatically that that impression was not correct. Surely it is open to you to say that, if serious objection is raised, you will give your ruling that it is out of order and if it is out of order, no amount of general desire in this House can make it in order.

Mr. President : I think it is not totally out of order. The Honourable Member will remember that His Excellency the Viceroy in his speech here last evening said that in the Round Table Conference all the schemes and documents, including the Simon Report, will be considered, and if these documents are to be considered at the Round Table Conference, I do not think that a reference to or a general discussion of the Simon Report will be totally out of order on this Demand. I do not want to prolong the discussion on this point, but as I have already said, Honourable Members, in making their speeches on this Demand, should restrict themselves to general observations on the Simon Report and should not go into the minute details of the recommendations of that Report.

Mr. M. R. Jayakar : Sir, I was also not present when this point was raised, otherwise I would have pointed out that there was no general desire on the part of the Party which I represent to have a discussion on the merits of the details of the Simon Commission's Report on this cut. The desire of my Party was just the other way. Of course a certain amount of reference to the Report is inevitable, because it is part of the material to be put before the Round Table Conference, but I do submit that you should give a ruling that nothing more than a general discussion of the Simon Report would be allowed on this occasion and that a minute discussion or a criticism of the detailed recommendations of the Report would be entirely out of place.

Mr. U. N. Sen (Bengal : Nominated Non-Official) : Sir, may I inquire why three days have been allowed for this discussion?

The Honourable Sir George Rainy : May I have your permission, Sir, to explain in one or two sentences the attitude of Government? What Government felt is, as my Honourable friend the Leader of the Opposition has said, that it is impossible, in discussing this vote, to avoid all references to the Statutory Commission's Report. To give a simple example, it is perfectly open to an Honourable Member to argue that he considered that the Statutory Commission's Report was so thoroughly bad that this money ought not to be provided. Equally clearly it is open to another Member to say that the Report is good and therefore the money

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ought to be provided, or that, even though he disapproved of many parts of the Report, yet nevertheless the money ought to be provided, and that I understand is generally the line taken by the Honourable Mian Shah Nawaz.....

Mr. M. A. Jinnah : That has nothing to do with the Simon Commission.

The Honourable Sir George Rainy : I thought he was developing that point. But certainly, Sir, Government also feel that there must be some limit to the discussion on those points ; and it is entirely within the discretion of the Chair to decide whether or not a particular speaker kept himself within reasonable limits.

Dr. Nand Lal : On a new point of order, Sir.....

Mr. President : Let me decide this point of order first. I think, in the light of the discussion that has just taken place, Mian Mohammad Shah Nawaz might go on with his speech.

Mian Mohammad Shah Nawaz : Thank you, Sir. I did not think I was going into a detailed criticism of the Simon Commission's Report, because if I were to do so I might take two full days ; but I am not going to do that. I was referring to the reforms proposed for the Frontier Province. Sir, the Commission has given no Minister to the Legislative Council which they desire to establish in the Frontier Province ; the Members of the proposed Council are simply to discuss Bills and motions and the Demands for Grants which are to be presented by the Financial Secretary. No subjects are transferred to the control of a Minister or Ministers. Obviously this sort of reforms are very inadequate and disappointing. As I say, the demand of all India is that the Frontier Province should be given full-fledged reforms on the lines of the major provinces of India. In short, I have no use for the moth-eaten reforms which are proposed by the Commission for the Frontier Province.

With your permission, Sir, I will now pass on to the case of Baluchistan. I need not enter into the details of the reforms which the Commission has recommended for Baluchistan, because they have given no reforms. Their argument is very strange indeed. It is this : that it can safely be said that the Baluchis do not require any alteration in the existing system. In a few lines they dispose of this very important question of reforms in Baluchistan. The learned Commissioners tell us that the Baluchis do not want the reforms. Sir, I doubt whether this statement of fact is correct. I know the Baluchi Sardars very well. They do want an elective system to be introduced in Baluchistan. Sir, if Baluchistan is a part and parcel of India, and if we must hold Baluchistan for the defence of India, it cannot remain stationary ; either it must go backward or go forward ; and as it is unthinkable to go backward, is it not advisable to go forward ? I know how the present *jirga* system works in that province. Sir, I can say without any fear of contradiction that the *jirgas* simply endorse the decrees of the Chief Commissioner. It is no system at all ; I know the *jirga* system ; I know how it works on the frontier, and I know how it works in Dehra Ismail Khan, Dehra Ghazi Khan and in Baluchistan too. It is an old old system, good for nothing. Surely, Sir, Baluchistan must progress and Baluchistan must be given some sort

of reform. If you do not want to give a full-fledged constitution to Baluchistan, then start with some sort of reforms. But it is no use saying that the Baluchis are gypsies and nomads and they do not want any alteration in the existing system. Baluchistan is surrounded by countries which enjoy the benefit of the modern elective system. There is no reason why Baluchistan should be deprived of reforms if they are good. With all due deference, the reasoning of the Commission is not correct, and I submit that some sort of reforms must be given to Baluchistan and we must make a beginning, but it should be substantial.

Sir, now I come to the constitution at the centre. Sir, it must be admitted that the Commission have proposed no change of any value in the Central Government. The Viceroy is still supreme; as a matter of fact his powers are enlarged. It is true that he can select his Executive Councillors from among the Members of the Assembly and the Council of State; but there is no statutory obligation laid on the Governor General to select so many Members or all Members of his Cabinet from the elected Members of the Central Legislature. Sir, the Government of India, with an irremovable executive, faced with an elected majority is neither strong nor dignified. No constitution will work unless it has goodwill behind it and an autocratic Government of India would have little driving force behind it. Sir, the unanimous demand of India—and I believe there is no dissentient voice now—is to proceed along the lines of an immediate Dominion Status in the Central Government, with reservation in respect of the Army, foreign affairs and Indian States, and it is only by proceeding along these lines that a solution of the present difficulty can be found. Sir, it is a fact that the Liberals, the Muslims, the Sikhs and all others, barring the Congress, have agreed that all subjects in the Central Government except the Army, the Indian States and foreign affairs must be transferred to the control of Indian Ministers, as stated above.

Then, Sir, these learned Commissioners recommend indirect election to the Assembly; that is to say, the Members of the local Councils are permitted to elect Members to the Legislative Assembly. I am not aware, Sir, of any federal system in which there is indirect election to the first House. The United States of America consist of as many as 48 States and they have direct election. In all federal systems, in Canada, and outside the British Empire—in Brazil, and in Germany—there is a system of direct election. There is no reason why direct election, which now prevails, should not be maintained. Sir, I submit that if Members to the Assembly are to be elected by an indirect method, demoralising tactics will be employed in the local legislatures; and the non-official Ministers, and—if I may have the liberty of saying so—the official Ministers, would be sending those men to the Assembly who would be safe from the point of view of the Government. In short, the result of this proposal of the Commission will probably be—they will forgive me for saying so—to kill the independence of the Assembly. Further, according to mathematical calculation, if a candidate were to secure the first eight votes from Members of the Provincial Legislature, he would surely be returned to the Assembly. He would hardly be called a representative of the public. Sir, I do not believe in an election by the elected.

Coming to the Army, I find, the proposals of the Commissioners are
 12 Noon. extremely disappointing and unsatisfactory. The
 Army is for many many years to come to be

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placed beyond the control of the Legislature. It will wear the complexion of an army of occupation, forced upon the people of India to keep them in bondage. And India will have to pay 50 or 55 crores without question to England for the up-keep of the Army, without having the right to utter a single word about it. But if the Commission thought it advisable to put the Army in the hands of Agents of the Imperial Government, I think that they should transfer every other subject to the control of the Central Legislature except the Army. When I read the first volume of the Report, I thought that the idea of the Commissioners was to have an Imperial Army in this country with the Viceroy as its head, acting in conjunction with the Commander-in-Chief; I believed that the Commissioner's earnest desire was to establish an Army of Dominion pattern under the control of an Indian Minister in the Central Legislature. But when I read the second volume, I observed an entire change of front. The Commissioners make no suggestion of any kind as regards the Indianisation of the Army. They do not go into the recommendations of the Sandhurst Committee; they neither approve nor disapprove of the recommendations of that Committee. They express no opinion as regards the eight units scheme. They say nothing as regards the establishment of an Indian Sandhurst in 1933. They leave the question of the Indianisation of the Army untouched. And yet the Commissioners say that the question of the Indianisation of the Army must be faced. I humbly submit that they have not faced it, and we must face it. How are we going to Indianise the Army? That is the most important question, and that is the acid test of the bonafides of Great Britain, because if the Army in India is not to be Indianised speedily, all talk of Dominion Status is humbug. Dominion status without the speedy Indianisation of the Army would be incomplete and possibly a great hoax. Sir, the important problem of the Indianisation of the Army can no longer be shirked. It must be faced and has got to be solved without further delay. Sir, I do hope that the Government of India will recommend a good scheme for the Indianisation of the Army, and in the absence of any scheme, they will recommend that the recommendations of the Indian Sandhurst Committee should be given effect to in their entirety.

Sir, with your permission, I now come to the services.

Mr. M. A. Jinnah : Is there no time limit to-day, Sir?

Mr. President : I am afraid not.

Mian Mohammad Shah Nawaz : Sir, I know there are some Honourable Members who are impatient.

They think that the Simon Report should be ignored and that it should be cast away, because it is unlookable. That is not a correct attitude. The Report is before the public. No doubt, the recommendations contained in the Report are disappointing, they are halting and unsatisfactory; in some respects they are retrograde in character; but they are to be considered very carefully. The Report naturally carries weight in the eyes of many Britishers. We must discuss it, and point out where the defects are. I do not agree with those Honourable Members who hold the view that there should be no discussion on this Report and

that it should be ignored. It cannot be ignored. I feel, Sir, that I am entitled to express my opinion on all the important problems concerning India which are embodied in the Report of the Indian Statutory Commission.

Now, Sir, coming to the question of the security services, I mean the Indian Civil Service and Indian Medical Service, I find that these services are still to remain under the control of the Secretary of State. That is in a way negation of provincial autonomy. But the part to which I seriously object is that the Secretary of State can employ these services in such numbers and in such appointments as he pleases. In my judgment, the provinces should be the masters in their own territories and they should have the power to say, "We will have so many members of the Indian Civil Service or Indian Police Service, and no more."

Then, Sir, as regards the fiscal autonomy convention which is said to exist in action, the Commissioners' proposal is actually retrograde. On the one hand they say that they do not want to suggest any change in the fiscal autonomy convention; but on the other hand they do make a change. Let me, Sir, read out to you a passage from page 306 of their Report. It runs thus :

"But delegation by 'convention' with the purpose of transferring responsibility in some measure to the Legislature raises different issues. The criterion should be, not whether an authority subordinate to the Secretary of State is in agreement with the Legislature but whether the interests at stake are of such a character that His Majesty's Government could waive or suspend its constitutional right to make the final decision. On this view the decision whether the will of the Indian Legislature is to prevail is one for the Secretary of State, or if need be, for His Majesty's Government, to take, after giving the fullest weight to the views of the Government of India, and before the proposal is put to the Legislature. A convention which sets the Government of India and the Legislature in opposition to the Secretary of State is constitutionally unsound and can only weaken the Government of India in the end."

It is quite clear that the fiscal autonomy convention goes, in practice, by the board.

I admit there are several favourable points in the Report. These are—(1) Provincial autonomy, which should be made real by eliminating the official element from the Ministry and by restricting the overriding powers of the Governor, (2) Enlargement of the sizes of the Provincial Councils and Legislative Assembly, (3) Extensive franchise in the provinces both to men and women, (4) a share of the provinces in the income-tax revenue with a view to developing the nation-building departments, (5) probability of having Executive Councillors from among the elected Members of the Central Legislature, (6) Establishment of a Public Service Commission in the provinces, (6) Separate representation to Muslims.

Sir, I would be failing in my duty if I did not put forward the demands of the Muslims of India. Those demands are given in the resolution of the All-Parties Muslim Conference, which was passed at

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Delhi on the 1st January, 1929. Therein we say that the Muslims of the Punjab and Bengal should be given a majority in their Legislative Councils, on a population basis. At any rate they are entitled to 51 per cent. representation. We also claim a specified share in the Services, that Sind should be separated, and that full-fledged reforms should be given to the North-West Frontier Province and Baluchistan. Those demands we have now reiterated in a resolution passed by the Working Board of the All-Parties Conference held at Simla on 5th July, 1930. I am glad to find that the Muslims have also come to the conclusion that all subjects in the Central Government excepting the Army, Indian States and foreign affairs should be transferred to Indian Ministers. Sir, I am afraid, these demands of the Muslims are not met by the Report of the Statutory Commission.

Sir, I now come to the Round Table Conference. (*Some Honourable Members* : "Hear, hear"). (*An Honourable Member* : "The real point.") In my humble judgment, the invitation to the members of the Round Table Conference who will eventually go should be couched in such terms that it should assure the co-operation of intelligent and representative Indian leaders, including a requisite number of Muslims. If that is not done, I am afraid the Round Table Conference may not be a success. If the Congressmen are not going to join the Conference unless certain terms are agreed to in advance, and if Government are not going to hold out the olive branch to them unless and until the civil disobedience campaign is called off, then I submit that all others, namely, the Liberals, the Muslims, Sikhs, and so on, should join hands and come to a decision that they will participate in the Round Table Conference. They should draft a constitution for India. I am glad that His Excellency the Viceroy has allayed the situation to some extent. Sir, we can safely trust the sincerity, earnestness and generosity of His Excellency the Viceroy and Mr. Wedgwood Benn. Sir, the fact remains that there will be a free discussion at the Round Table Conference. The proposals of the Simon Commission are proposals of seven gentlemen who were selected by the Conservative Government. It is now our right to put forward our own proposals for immediate Dominion Status or for the "substance of Independence" if you like, or for immediate Dominion Status with reservations in respect of the army, foreign affairs and the Native States with a view to arriving at the greatest possible measure of agreement and a lasting settlement between Great Britain and India. Sir, I submit that an alliance between Great Britain and India will very greatly promote the cause of universal peace and humanity. Sir, with these remarks, I move my cut.

Dr. Nand Lal (West Punjab : Non-Muhammadian) : I must confess that, on account of the wisdom which the Treasury Benches have shown to-day, they have got two most important and vital questions confused. I wish the discussion had been separate on the two most essential questions, but in obedience to the order which emanated from the Chair—every one of us is bound to obey and bow to it—and in compliance with that order, I propose to raise certain points and offer certain remarks with reference to this motion which has been moved.

To begin with, I shall take the point relating to the Round Table Conference to which really this motion seems to be confined. It has been repeated over and over again that this Conference will arrive at some points which will be favourable to India. Those hopes have been set forth on various occasions, but I am sorry to say that the constitutional advancement and rights which will be conferred on India have not, as yet, been particularised and definitely characterised, excepting the very encouraging announcement which was made yesterday by His Excellency the Viceroy, which appears to be some advance indeed. But, apart from that, all of us are in the dark as to the achievement we shall make in consequence, or by virtue, or by the assistance, or help of this Round Table Conference.

Sir, you are better aware than my humble self that the expenditure of money is directly concerned with the purse of the people, and the people have got a legitimate right to see that their voice in connection with the expenditure of money is heard and respected. Is there any provision made, any hint thrown out, or any suggestion made that the public will be consulted so far as the choosing or selecting of members of the Round Table Conference is concerned? If not, what right has this House got to make the grant? The people are the custodians of the purse. We are the representatives, namely, the elected Members, and we have, thus, not to put forward only our own views, but also the views of the people which have been expressed through impartial organs, namely, the Press and other channels. Irrespective of my personal opinion, I have to do my duty as the pleader of my constituency. I submit that no justification has been shown why this grant should be made in full and why this cut should not be accepted or approved of. I finish so far as the Round Table Conference is concerned.

The Honourable Mian Mohammadi Shah Nawaz has dilated upon the question of the Indian Statutory Commission's Report; practically three-fourths of his time he has spent on that question. He has gone into details. But I must obey the Chair and I cannot thus afford to go into them. However, I shall make reference to it in a general way, with this hope that a further opportunity will be given to me for making certain important, essential, and necessary remarks which I shall reserve for a future occasion. (*Several Honourable Members* : "No, no.")

Mr. President : Order, order.

Dr. Nand Lal : As I submitted, I shall be very brief in submitting my points. There are three points to which I may invite the attention of this Honourable House. Point No. 1 is the introduction of the official element in the Ministry. This suggestion in the Report has not had a cordial reception at the hands of the people. The opinion of the people is that what we wanted has not only not been given, but what we had has been taken away to a certain extent. I make this statement subject to correction. That is the view of a section of the people in India, and *prima facie* it seems to be correct. With the introduction of the official element in the domain of the Ministry, there is no knowing to what extent the legitimate rights and privileges of the people will be violated. The second point in connection with this Report is this, that separate representation has been permitted or has been allowed, on the ostensible ground of protecting the minorities. Well, the authors of the Report

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seem to have made out a case on that ground alone, if my reading of the Report is accurate and correct. Taking that view of the learned authors and comparing it with the remarks, as alluded to in Volume II, I find that the view, propounded by the learned and Honourable authors of that Report, appears to be erroneous. I shall point out why. Now, the ground on which this separate representation has been allowed by the Report is this, that the interests of the minorities may be safeguarded. That is the main ground. That is the plausible reason which is set forth. Now, if the minority itself wishes, prays, and humbly submits that we do not want separate representation and that it is not worth while to have it, why should the Commission thrust it upon them? Take the case of the Punjab. The Hindus are in a minority. The Hindu Minister expressed himself against the retention of separate communal electorates and the Hindu people, who appeared as witnesses, made a statement purporting to mean that they did not want separate representation. They substantially meant to say "You are thinking of giving us protection. We say good bye to this sort of protection. We want unity between Hindus and Muhammadans. We want brotherhood". They meant to urge that if a Hindu is a really good candidate and has got the confidence of Muhammadan voters, they will prefer him to a Muhammadan candidate. We do not want this sort of protection at all. We are in favour of joint electorates. We want and believe that in the course of time Hindus and Muhammadans may live as brothers, as loyal subjects of His Majesty.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions : Muhammadan Rural) : May I ask the Honourable Member who said that? The Hindus never said that.

Dr. Nand Lal : If you will kindly read the Report of the Ministers, (Volume II, pages 57 and 59), and look into the Hindu spirit, you will see that they substantially were not in favour of separate representation.

Dr. A. Suhrawardy : I was present at the Joint Free Conference and heard the evidence.

Dr. Nand Lal : I ask, why this separate representation has been hurled upon the people of the Punjab? Why have Hindus been deprived of their aspiration to become friendly with Muhammadans and perform their duties as true representatives of the people?

The third point which I place before this House is this. I ask : have these learned authors of the Report given anything to India, so far as the privileges, rights and status of the Central Legislature are concerned? The answer would be "No". If you compare the privileges, the rights, the political status of the Legislative Assembly with those of the suggested Federal Assembly, you will come to this conclusion that India has lost a great deal in that behalf. Have you ever heard that a Member of a Provincial Council may be, at the same time, a Member of the Central Federation? The birthright of the constituents, who have been franchised and who have got the right to elect their representatives directly, has been violated and taken away from them. At least as a student of constitutional law (my knowledge perhaps may be limited and I make this statement subject to correction), I cannot find this sort of principle in any system of law in the world—that a

representative in a Provincial Council can be, at the same time, a Member of the higher House and he alone has got the right to give a vote as such to another Member who is his comrade and his associate in the same House. It means that a Member of a Provincial Council can simultaneously be a Member of the Central Federation. It is just like the complainant constituting himself the judge to give his decision in his own case. That is not right. That is not constitutionally correct. There is another inherent defect in this Report, and I am sure this House will extend its sympathy to my view. It is this. There are ten Members in a Provincial Council. Very good. They and they alone have got the right of electing a Member for a higher House. These ten gentlemen will constitute a body of friends. A will help B, B will help C, and C will help A, and so on. There will be reciprocity. And these ten men will be returned to the higher House in rotation. A student of constitutional law will feel surprised at the suggestions that have been made in this book, which is called the second volume of the Simon Commission's Report. These recommendations, when they are compared with the fundamental principles of constitutional law, are bound to betray the serious mistakes of the authors of the Report. I submit these proposals smack of unsoundness. After having said some thing in passing about this, I may point out to this House that there are a number of shortcomings, a number of defects in the Report. I admit there are some beauties too, but the number of shortcomings or the number of defects is greater, and consequently, I may submit that this Report is not such a report as may successfully induce this House to associate itself with the grant of this full demand. Therefore I support the cut which has been proposed by my Honourable and learned friend, though I may say, at the same time, that I congratulate again the official Benches that they have scored a great point in getting these two important issues discussed together. With these remarks, Sir, I thank you for giving me an opportunity to speak on the motion.

Mr. M. A. Jinnah : Sir, for several reasons I thought I would take part in the debate as early as I could, provided I caught your eye. I have been successful in catching your eye and I am glad to have the opportunity. Now I am really very sorry that the Treasury Benches (*Honourable Members* : "Louder please") should have encouraged the kind of procedure which has been adopted in this House to-day. Sir, they know perfectly well that if this House is to be called upon to express any valuable opinion with regard to the Simon Commission, that cannot be done on a cut motion to a Demand of this character. If you want to ascertain the definite opinion of this House with regard to the recommendations of the Simon Commission, then the Government ought to have placed on the Table a Resolution saying "This House recommends to the Governor General in Council that the recommendations of the Simon Commission should be accepted by him". And we would have met it in a proper way. Have you, the Government of India, accepted the recommendations of the Simon Commission? Have you formulated your own opinions? Have you come to any decisions? And do you expect this House at this stage, or any responsible men, to express their opinion on a document of this character by way of a side issue? And do you not know that the Simon Commission is not the last word, according to the latest pronouncement made by His Excellency

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the Governor General only yesterday ? And do you not know that yet the London Conference has got to take its decisions ? Do you want us to discuss here the various Reports that have appeared throughout this country ? Do you want us to discuss the various proposals that have appeared in this connection from various quarters, on a cut of this character ? Do you expect us to give you a scheme of the future constitution of the Government of India on this occasion ? What could be the object, Sir, of what I may call the most improper procedure that has been encouraged by the Treasury Benches ? Sir, I only say this that if you force us, if you ask us to go to a division on this cut, there can be only one answer and only one answer so far as this side of the House is concerned. What is the cut ? The cut is, that this Demand be reduced by Rs. 100, on what ground ?—on the ground of “the inadequate and unsatisfactory suggestions and recommendations contained in Volume II of the Report of the Indian Statutory Commission and their probative value as a part of the material to be discussed and considered by the coming Round Table Conference”. Do you want this House to support this cut or not ? (*An Honourable Member* : “No.”) You do not ? (*Some Honourable Members* : “No, no.”) Are the Government going to say that they are satisfied with the recommendations of the Simon Commission ? Are the Government going to say that they are adequate ? Have you formed your opinion ? Sir, a more futile procedure could never have been adopted in this House (Hear, hear) for wasting the time of this House. How that procedure is going to be justified by the Government I will wait and see. I am quite willing to analyse, to dissect and to examine in all its details the Report of the Simon Commission at the proper place and on the proper occasion and I invite Government to meet us there at the proper place and on the proper occasion if they want to support any of the recommendations of the Simon Commission. Therefore I am obliged to say this—and I appeal to every elected Member on this side of the House to support me and decide that in the first instance this cut must be supported, and let us declare that the Simon Commission recommendations are not acceptable to us (Applause), and that we are not going to be side-tracked by the procedure that is adopted. Sir, I can only understand one reason for it, that some genius on the Treasury Benches probably thinks that this might display on the floor of this House a conflict and a clash between the two communities or between certain interests. I appeal to Honourable Members on this side of the House—don't you play into the hands of Government. We are not going to show any kind of conflict or clash by this method. (Hear, hear.) We shall stand together, and we are all agreed that the Simon Commission's Report is not acceptable to us and let us give our clear verdict to that effect.

Mr. Gaya Prasad Singh : It is untouchable.

Mr. M. A. Jinnah : If that was not the reason, I wonder what are or could be the reasons which you can assign ? The Simon Commission has already gained a certain amount of notoriety. Do you want to add more notoriety to it by putting it before this House and discussing it on the floor of this House ? Is that your ambition ? A very poor ambition if that is so. Then what is the object ? Sir, I have said enough on that point.

Now coming to the subject proper, so far as that is concerned, I have all along taken the view—rightly or wrongly it yet remains to be seen—that we should participate in the London Conference. I know that there is a certain body of my countrymen who do not see eye to eye with me on that point. Sir, I have considered all the pros and the cons. I have considered all the arguments, and I have not been able to get over one argument at least and one reason which compels me, to-day even, to say that we *should* participate in the London Conference : and that one argument which I cannot get over and which compels me to say this is this. I am prepared to grant that the London Conference may break down. The London Conference may even shatter our hopes and expectations. But I cannot get over this argument that, if I do not go there and if I do not fight my case, in the justice and the righteousness of which I am convinced, I shall not be doing my duty to my country and before the Bar of the world opinion, and I shall not be doing my duty to place my case before that Conference and get from them a definite and decisive answer as to what they proposed to do. I lose nothing by it and I commit myself to nothing. I hold strong convictions based on facts and figures. I am prepared to go there and face His Majesty's Government. If my hopes are not realised and if my expectations are not fulfilled, it is open to me to adopt such course as I may think proper in those circumstances. Therefore, I do not wish to lose this opportunity. If I succeed in winning my case, I shall have rendered not only the greatest service to my own people, but I think to Great Britain also, because you will have then a contented, happy and friendly India. Sir, therefore, without going further into more details, I hold that I must participate in this Conference. If that is the conclusion that I have come to so far, then expenditure is necessary.

What does the Government want me to say on this point ? I can only say : Yes, I am willing to vote for the necessary expenditure. But on this subject I am also entitled to say to the Government this. I know the difficulties that we have to face in choosing the representatives on behalf of India to go to this Conference. But, as I understand it, the representatives of India would be invited by His Majesty's Government. That means that the ultimate choice would rest, theoretically, with His Majesty's Government, but for all practical purposes it will rest upon the authorities in India, who will probably recommend those men. That procedure may not be the best, but under the circumstances it seems difficult to think of any other procedure. But in regard to the making of this choice of the representatives of India, I want to impress upon the Government to be careful and to see that they appoint or invite the true representatives of India who will command the confidence and trust and the respect of the people of India. It is a most delicate task to perform and I want to give them as strong a warning as I can to see that in that they play fair.

Then, Sir, there is one more point that I want to impress upon the Government, and it is this. I read in the newspapers some time ago that the Government have already provided the Secretariat staff for the Indian representatives who will be invited to the Round Table Conference.

Sir Hari Singh Gour : It was announced by the Viceroy yesterday.

Mr. M. A. Jinnah : Yes. Well, I do not know why the Government are in a hurry to do this and make the choice that they have made. I still ask the Government to reconsider that position. First of all, let us know who are the representatives who are going to be invited. Surely there is no need for this hot haste to burden us with these three members of the great and Heaven-born service, namely, the Indian Civil Service, before you have even decided upon the choice of the representatives. Whom, do you think, these people will assist? The representatives. Surely, therefore, you might wait until they come into existence. You might wait until you have consulted them. Sir, I fail to understand why they should show this hot haste in announcing the names of the three members of the Indian Civil Service. Of course, I have nothing to say against them personally. I have nothing to say against my friends, Messrs. Bajpai and Latifi and Sir Geoffrey Corbett as far as the personal aspect is concerned. But why should there be this haste, and I do think that the Government might still consider their position with regard to this matter. The position therefore that I take up, Sir, is this, that we must support this cut having regard to the views that I have expressed and I must support the motion that this Demand be reduced by Rs. 100 for the reasons specified and vote the reduced demand.

Mian Mohammad Shah Nawaz : On a point of personal explanation, Sir. The Honourable the Leader of the Independent Party insinuates, in a way, that I have moved this cut at the instance of the Government.

Mr. M. A. Jinnah : I never suggested that.

Mian Mohammad Shah Nawaz : I am glad that the Honourable Member has removed misapprehension. I wish to assure you, Sir, I have moved this cut with the consent of most of the Members of this House.

Dr. A. Suhrawardy : He has assured you himself.

Mian Mohammad Shah Nawaz : I am aware of the Honourable Member's opinion, namely, that this cut should not be moved in the House : but the general desire, after consultation amongst the Members, was that the Simon Commission's Report should be discussed.

Mr. U. N. Sen : (Loud Applause) Sir, I crave the indulgence of the House to intervene in the debate for a few minutes, as I feel that the motion now before us, especially after your ruling about the manner in which it is to be discussed, is so vitally important that I should not be justified in giving a silent vote. I will not follow my friend, Mr. Shah Nawaz, in dealing with some of the details of the Simon Commission's Report, nor will I join issue with Mr. Jinnah in urging on the House that the cut should be accepted. I understand, Sir, that the question immediately before us is whether we should send a delegation to London and whether the House should vote any money for it. I find in the Standing Finance Committee's Report, page 23, full details have been given why this money is wanted, and if any further details are necessary. I believe the Honourable the Finance Member will not withhold them from the House. I confess. I did not anticipate that on this question of sending a delegation to London there would not be a single discordant note from any part of the House. It is difficult to expect that on a momentous issue like this there should be, or there could be, an absolute unanimity among all schools of thought. The conflict of

interests is so great that any settlement, however finely balanced, is bound to catch some discontent in the rebound. Sir, I did expect some angry protests from some quarters of the House. That the recommendations of the Simon Commission have created a deep resentment in the minds of Indians is but natural, because some of us hoped that the Report would herald the dawn of a new era, the vision of which we were fondly hugging in our bosoms. That hope has receded away. But, Sir, there is no reason to give up all hopes. It is because I firmly believe that our delegation will reopen the entire question of constitutional reforms in England and that they will retrieve our fortunes in London, which Sir John Simon and his colleagues refused us, that I cordially support the motion which has been placed before the House by the Honourable the Finance Member. I strongly oppose the idea, which has been openly expressed in many quarters, that we should boycott the London Conference. Why? Because the Simon report has fallen short of our expectations? No argument to my mind could be more fatuous. Let us, Sir, accept for a moment that it is no use our going to the Conference. How does it improve our position? The Conference will be held, whether we like it or not. The Conference will submit proposals to His Majesty's Government, whether we accept them or not, and those proposals will eventually be embodied in a Statute. If men like Dr. Sapru, Mr. Jinnah, Mr. Jayakar and Sir C. P. Ramaswami Ayyar and a whole host of those eminent men who can speak with authority for us, who have got every right to go to the Conference and present our case—if they keep away from the Conference, do you realise what the ultimate result will be? Well, Sir, I shudder to think. It will be fraught with the gravest consequences is all that I can say. My own view is that whatever may be the shortcomings of the Simon Report, we ought to attack it at all points, if you like turn it inside out, but for Heaven's sake do not give a wrong lead to the country and say, "Do not send representatives: do not go to the Round Table Conference". You will be courting an awful disaster if you do that. Mr. Jinnah is perfectly right when he says that, whatever happens, he will go to the Conference and present the case of his country. I will go further and say that he will perhaps present an ultimatum on our behalf. May I, Sir, sound a note of warning in this connection? I know some of my countrymen opposite will not agree with me—but all the same, the note of warning is this: do not treat the Simon Report too lightly, nor try to throw it on the rubbish heap. It is needless for me to remind the House that the Report has been accepted as one of the most important State documents of recent times, and that every Englishman—philosopher or statesman—has welcomed it as the best possible solution of our constitutional problem. We have not accepted that view, but what is most important is that we have to combat that view and produce a scheme, call it alternative if you like, which will be equally weighty, equally thorough and a masterpiece of human ingenuity. Until you do that, it is no use your croaking "Down with the Report". That the Simon Report is not the last word on the Indian constitutional reforms has been admitted by no less a person than His Excellency the Viceroy. He said only yesterday, "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". Mark, Sir, His Excellency's words. No utterance could be more

[Mr. U. N. Sen.]

reassuring than this. I do not know how much His Excellency will have to pay for this utterance, judged from the telegram which we got yesterday about Lord Birkenhead's effusions in the *Daily Telegraph*. The Government of India have been unjustly accused of many sins of commission and omission in this respect, particularly for not publishing proposals with regard to the Simon Report. Personally I think when these proposals are published, we will be satisfied that Lord Irwin's Government have done their best. May I, Sir, if I am in order, take this opportunity of paying my humble tribute to Lord Irwin himself for the indomitable courage he has shown throughout in dealing with this question? I know of no Viceroy, since Ripon, who has been so unjustly and in so ungentlemanly a manner attacked on all sides, the worst attacks being from his own political friends in England. No politician within recent memory has suffered so much anguish of heart for his political convictions. This is perhaps the fate of all great pioneers, and as a true and great pioneer, Lord Irwin has put his hands to the plough and will not look back until he reaches the end of the furrow. He knows, if any one knows, that much rough ground has to be broken before one can plant on the soil, but posterity will bless his name when the whole land is fructified and they come to live under the cool of the blossoms. I believe, Sir, this is not the time nor the place to discuss the Simon Report in all its bearings, but there are two questions to which, with your permission, I should like to refer. First is the question of defence which greatly puzzled the Members of the Commission. I, for myself, would support their proposals for defence of this country, if everything else is given to us. Secondly, the communal question. This is one of the most complex problems which has defied solution. I would appeal to my Hindu countrymen carefully to examine the Muslim point of view and not to deny them what is their legitimate due. That great community has been in the background for decades, and it is time that we and they should now walk hand in hand to that common destiny which is the heritage of both.

Sir, before I conclude, I should like to make one personal appeal to Government about a very delicate matter and it is this, that the struggle in the country has gone on for a long time, much to its detriment and ordered progress. It is time that Government should give clear indications on what conditions they would be willing that negotiations should open with Congress Leaders so that the movement might cease and they will be invited to the London Conference. I personally feel that, with the Congress Leaders in jail, their having no opportunity to participate in the framing of the constitution, no scheme, however perfect, will have a chance of success. I, therefore, beg of the Government to explore all the avenues of a settlement, lasting and honourable to both. I feel, Sir, at no period of her history, England was in such a strong and proud position as she is to-day, and if the British Government to-day goes out of its way to treat its enemy generously, it will not be put down either to lack of strength or abject surrender of authority. It is by generous recognition of India's aspirations that England can alone help us to realise our hopes which still roll in the dim distance. (Cheers.)

The Honourable Sir George Schuster : Sir, I rise to intervene in this debate to make a very few remarks only and those of a technical nature. I, Sir, am responsible for the motion in regard to which this cut has been moved, and although we have been discussing matters which are, or are going to be of very great constitutional importance, I also think it is important that we should consider the procedure of the House and take account of what precedents may be created by a debate of this kind.

I should like to say at the outset that I am very grateful to my Honourable friend Mr. Jinnah for a part of his speech. I venture to say that he has restored this debate to its proper channel and that his speech was entirely relevant. At the same time I am sure he will not quarrel with me if I dissent from the interpretation which he has put on the Government's motives. Sir, he has flattered Government. We are not capable of such ingenuity as he has attributed to us. (Laughter.)

I should like to remind the House of what the business is before us to-day and what the position of Government is. We desire that this Round Table Conference should be held. The holding of the Round Table Conference is going to cost money. We therefore have to come before the House with a supplementary Demand for the necessary expenditure. Now at the very outset a first point of order must arise. It has been held in the past—and you yourself, Sir, referred to that ruling—that in the case of a supplementary Demand questions of policy should not be discussed. But if you go behind that ruling and examine the cases in which that ruling has been given you will find that the reason for it is this. It has been held that, where the Demand is a mere supplementary Demand for additional expenditure and is supplementary to a grant which has already been approved in the Budget, the occasion of the presentation of the Budget is the proper time on which to raise discussions of policy in connection with that grant. But in the present case we are coming before the House with a Demand for a service which was not in contemplation at the time when the Budget was put forward, or rather a service for which we could not put forward proposals at that time. And that being so, I think it is obviously right that this House should have an opportunity of debating the policy on which that grant is proposed and it would not be right to rely on the ruling which has been given in previous cases that questions of policy should be excluded from discussions on supplementary votes.

Having arrived at that conclusion, we come to a second possible question of a point of order. It has been agreed on all sides that, in discussing this Demand, it would be impossible to exclude all reference to the Statutory Commission's Report.

Mr. M. A. Jinnah : I do not agree with that.

The Honourable Sir George Schuster : Perhaps if my Honourable friend will allow me to continue I might make the point which is in my mind clear. I thought it had been agreed on all sides that it would be impossible to exclude all reference to the Statutory Commission's Report. I correct what I said, as I realise now that my Honourable friend Mr. Jinnah does not accept that point of view. But the way in

[Sir George Schuster.]

which we have looked at the matter is this. When we come to this House and ask for a vote of money for this purpose, it is open to any Member to oppose that vote outright, or, if he does not desire to go so far as that, to make clear the conditions on which he gives his favourable vote for this grant. And it seems to me that it is at that point that it is almost impossible to exclude some reference to the Statutory Commission's Report. Any Honourable Member may say to himself, "If I give my support to this vote, it is possible that I may be taken as approving of the Conference which is going to discuss the Statutory Commission's Report, and that in doing so there may be some implication that I approve also of the conclusions which have been reached in that Report". I think that is a logical line of thought, and to any one who takes that line of thought it is very difficult, in speaking on this motion, to exclude all reference to the Statutory Commission's Report. But I venture to suggest, Sir, that that opens only a very limited field for the discussion of that Report, and I venture also to suggest that, in the further conduct of the debate, that limitation might be kept in view. I think it is an arguable point if one takes that view whether a speech on the main motion would not be the appropriate occasion to make clear those conditions which might be present, as I have suggested, in any Honourable Member's mind in recording his vote in favour of this grant, and whether it is really appropriate to move a cut of the kind which is now before the House. I think it would have been open to any Honourable Member to raise a point of order that a cut of this kind on a motion for a supplementary Demand is not in order; but as the nature of the discussion which would be produced is exactly the same in either case, it seems to me that the point of order would not have had very much substance. The result, I venture to submit, is the same, namely, that in either case a reference to the Statutory Commission's Report is only relevant for the purpose of enabling any Honourable Member who wishes to express a view on the motion to make clear what are the conditions on which he gives his approval to the vote, or what are the reasons for which he wishes to record his disapproval.

Mr. M. A. Jinnah : The motion before the House does not contain any conditions at all on which he is willing to accede to the Demand.

The Honourable Sir George Schuster : What I was venturing to submit to the House is that it is a reasonable line for any Honourable Member to take.

Mr. M. A. Jinnah : That is not before us.

Mr. President : I think that, according to the ruling which I have given last, observations upon the Simon Commission's Report will be restricted to general observations and no lengthy discussion on this point is required now.

The Honourable Sir George Schuster : I venture to say that I agree entirely with that ruling. The object of my own intervention was only to make it clear that we have come before the House asking for a sum of money; that that is the reason why this subject has come up; and that there is no intention on the part of Government either to

suggest a premature discussion or to promote dissension on the other side, or to do anything but to put before the House business which has to be put before it and to allow any Honourable Member who wishes to make his position clear and record his opinion on the proposal, to do so without unreasonable opposition or hindrance on the Government side.

Sir C. P. Ramaswami Ayyar : Mr. President, the remarks that have fallen from the last speaker have to a certain extent simplified the procedure which I had from the first intended to adopt, for, indeed the motion and the cut have produced a kind of dilemma in the minds of those who are faced with the problem now before the House. Like the Honourable Member, Mr. Jinnah, I am one of those who hold, and hold very strongly, that participation by India in the Round Table Conference is fraught with benefit to India and cannot be harmful to the interests of India. It is needless to dilate upon the point, and I should have confined myself just to a word or two on that topic but for the undeniable fact that there is a great deal of misunderstanding and misapprehension in the country, which I feel it to be my duty to deal with and if possible obviate.

Sir, the question has been propounded as to the benefits to be derived from India's participation in the Round Table Conference, and enquiries have been made as to what those who seek to go to that Conference stand to achieve by the procedure which they propose to follow. It is pointed out that the Press and public men of England are almost in serried array, united in hostility to our ideals and aims and vehement in their expression of their points of view. Reference is made to the utterances emanating from that very talented but equally irrepressible person in the upper House, Lord Birkenhead and to very recent statements like those of Lord Brentford and others. The latter noble lord has stated that it would be a calamitous day if anything were discussed beyond the four corners of the Simon Commission's Report, and that the programme—I hope I am not paraphrasing him inadequately or incorrectly—before the Round Table Conference should be mainly the consideration and discussion of that Report. The question therefore has been raised, if that is the outlook and the attitude of important interests and men in England, as to whether anything would be gained by going there and participating in the Round Table Conference. My answer is, it is just because of these factors, that India stands to gain and not to lose by participating in it. He would be a poor advocate who, because a jury is misapprehending his case or because the judge starts with a preconceived opinion against the justice of his case, would not press and fight his cause. I hold that the strength and justice of our case is so great that I am not afraid of any tribunal of impartial and fair-minded men.....

An Honourable Member : Are they impartial and fair-minded ? You are mistaken.

Sir C. P. Ramaswami Ayyar : I still believe, notwithstanding the interruption, that England is not so bankrupt of fair-mindedness that that it would be no use our going there. I shall wait and pause till the conclusion of the Round Table Conference before I arrive at that decision if I have to.

An Honourable Member : Then you will be disillusioned.

Sir C. P. Ramaswami Ayyar : It is stated that I shall be disillusioned. I am free to be disillusioned, but each man has his period of disillusionment. To some it comes early and to some perhaps it comes later, and I shall be blameworthy perhaps if the disillusionment comes, but I am perfectly willing to stand the test of disillusionment. I was saying, before the interruption, that it is just because there is such massed opinion now expressing itself there through journals and newspapers and public men, that I and men of my way of thinking want to present our case to them, for I still believe in persuasion through reasoned argument. In a speech surcharged with emotion, which really raised the level of the whole matter to a very great height, Lord Irwin yesterday referred to many matters ; but in regard to one matter I feel really grateful to him and men of my party, the Liberals, will join with me in this. It has been said here and there that the Simon Commission's Report would not be the last word on the subject ; but I think an authoritative declaration emanating from the head of the Government of India that the Simon Commission's Report would be only one of the materials to be discussed in the Round Table Conference, and that it holds no higher and no different position from the Nehru Report or the demands of the Muhammadians, or the demands of the Sikhs, or of any other interests concerned, is a great thing. I hold that implicit in the declaration of the Viceroy was the suggestion and the admission that the Round Table Conference could and would consider the Simon Commission's Report as only one of the materials before it for decision. That is a great contribution which, I think, has been made. If it had been otherwise, if we had to consider, at the London Conference, the Simon Commission's Report as the primary or the only material, my attitude and the attitude of those who think with me and my party would have been different. But having regard to the conditions under which the Round Table Conference is meeting, having regard moreover to the explicit declaration that has been made that it is only one of the materials, I for one see no harm but great benefit by participation.

Sir, I shall take some time more.....

Mr. President : Go on.

Sir C. P. Ramaswami Ayyar : Now, Sir, the main topic to which I desire to address myself is the one partly already adverted to by my Honourable friend, Mr. Jinnah. Agreed as many of us are that the Round Table Conference is a means of achieving, if we can possibly achieve, that agreement amongst ourselves which will compel Parliament to accede to our demands, feeling like that, we still feel that the Round Table Conference cannot achieve that success which it ought to attain unless it is fully and wholly representative. There is no disposition on the part of any one to minimise the importance of any individual or party in this House or outside it. But can it be gainsaid that there are important organisations and men whose participation and co-operation in that Conference would lend greater weight to that Conference and add to its representative character ? Why do I say that ? I say that because I feel it to be my duty to urge upon the Government to leave no stone unturned and to explore all avenues by which the co-operation of those elements which are now keeping aloof may be effectively secured. Sir, on these occasions no notions of prestige or *amour-propre* should hinder one party or the other. As has been indicated in a statement published very

recently, the Congress Party, which has embarked upon a programme with which many of us profoundly disagree, has expressed its inability or disinclination to join the Round Table Conference. Is it too late on the part of men in this House or outside to appeal to the Congress Party to think twice before they lose this opportunity of demonstrating the strength of their case in London? Is it too late to appeal to them to give up this programme which, at the best, can only amount to an exhibition of strength and which is essentially negative in character? They have exhibited their strength; they have shown that the country is to a certain extent behind them; and having done that, let them pause and let them come to this Conference and prove by argument what they are now trying to prove otherwise—some of us think—calamitously otherwise.

But, Sir, the appeal cannot be one-sided. The appeal is similarly to Government also to reflect if it is worth while creating that spirit of bitterness and unrest whose results are not transitory. The bitterness will last for a long while after these particular events are forgotten. It is necessary therefore to get rid of that bitterness and the olive branch should be held out; and it is in the hope and expectation that both parties will come together, each yielding so much as is necessary to make them co-operate in a great venture—it is in that spirit that I make this appeal.

And, Sir, if every individual goes to the Round Table Conference in his representative capacity, and even assuming that all the communities in India and all the great movements are represented there, the task is still by no means easy. We have been handicapped—I say that deliberately—by the Indian Statutory Commission's Report. Even if it is one of the materials to be considered by the Round Table Conference, there are many points in that Report which are grievously faulty. And why do I say so? It is their outlook, the attitude with which the Commission worked with which we quarrel, and this is most apparent in two or three matters. Take, for instance, the question of the Army. No nation can be self-governing unless it can defend itself. In theory it is admitted by the Simon Commission. If the Simon Commission, having made it apparent that for the time being the responsibility of defence cannot be given up by the Imperial Government, had proceeded to define the steps by which a Dominion army might be created gradually perhaps but inevitably to replace the other army at the end of a specified period of time, one would have had no serious quarrel with the Simon Commission, but there is no attempt beyond vague phrases, there is no scheme to create or bring into existence an army, a Dominion army which, not now, not to-morrow or the day after but in course of time, may replace the other. Unless that idea is immanent in the Commission, the Commission does not think in reality of Dominion Government or Dominion Status whatever phrases may be employed. It is because of that outlook, and of that attitude, that many of us feel that the task has been approached in a wrong-headed and perverse manner and that the Report is not really worth serious consideration.

Similarly, Sir, with regard to the Indian States, beyond vague phrases, beyond catchwords, beyond inchoate suggestions of a Council of greater India, beyond suggesting that, when the willingness to co-operate begins,—there might be a federation in the course of an indefinite number of years,—there is nothing said in the Report.

[Sir C. P. Ramaswami Ayyar.]

So also in regard to the Central Legislature. With regard to it, one could have understood a well defined scheme for a federal legislature, where the provinces are represented, but that federation must be a live federation, where it has as its climax and as its summit full responsibility. What is the meaning of a half-baked theory regarding a partially responsible or wholly irresponsible Central Legislature with only this particular feature of a federal constitution borrowed from other systems ?

With regard to the Provincial Governments, in one place they say that they believe that law and order would very likely be in the hands of officials, who with elected members are to form a queerly constituted cabinet. That is an attitude of mind which we cannot appreciate, notwithstanding the eminence of the Chairman as a constitutional lawyer and a debater, and notwithstanding the very estimable qualities of the other members. The scheme of provincial Government propounded by the Commission is not really anything like true responsible Government. This is an attitude of mind, which is calamitous, according to us, to the highest interests of India. We therefore think that, if the Simon Commission Report was the main or the chief material which had to be tested and examined by the Round Table Conference, one would have had very serious doubts in regard to the Conference. It is because of the declaration made by an honest and sincere friend of India that this Report would only be one of the elements of consideration, that other materials would also be considered, and that efforts would be made to bring about a representative Round Table Conference, that I for one support the Round Table Conference whole-heartedly. Supporting it, what is my duty on this occasion ? I join with my friend Mr. Jinnah in thinking that it would have been much better if we had not discussed this particular cut. As matters stand at present, what are we voting upon ? We are voting upon a cut moved by Mr. Shah Nawaz with regard to the inadequate and unsatisfactory suggestions and recommendations contained in Volume II of the Indian Statutory Commission.....

Mr. President : I would like to know how long the Honourable Member would take.

Sir C. P. Ramaswamy Ayyar : Ten minutes, Sir.

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.

ELECTION OF THE DEPUTY PRESIDENT.

Mr. President : In accordance with the provisions of sub-order (3) of Standing Order 5 of the Legislative Assembly Standing Orders, I have to announce that I have received 15 notices duly signed nominating the following four candidates for election as Deputy President, *viz.*,

1. Sir Hari Singh Gour,
2. Rao Bahadur M. C. Rajah,

3. Lieutenant-Colonel H. A. J. Gidney, and

4. Sardar Gulab Singh.

The names of the proposers and seconders are as follows :

For Sir Hari Singh Gour—

<i>Proposers—</i>	Sardar Gulab Singh.
	Rao Bahadur D. R. Patil.
	Mr. M. R. Jayakar.
	Pandit Chuni Lal.
	Mr. C. S. Ranga Iyer.
<i>Seconders—</i>	Mr. B. Das.
	Mr. Saradindu Mukerjee.
	Rao Sahib Baburao Ramji Patil.
	Mr. Lal Narendra Pratap Sahi.
	Mr. M. R. Puri.
	Rai Bahadur Lala Panna Lal.
	Mr. P. Chowdry.

For Rao Bahadur M. C. Rajah—

<i>Proposers —</i>	Mr. A. H. Ghuznavi.
	Sardar Bahadur Captain Hira Singh Brar.
	Dr. A. Suhrawardy.
	Mr. R. S. Sarma.
	Mr. G. Sarvotham Rao.
<i>Seconders—</i>	Mr. Abdul Latif Saheb Farookhi.
	Maulvi Sayyid Murtuza Saheb Bahadur.
	Mr. Adit Prasad Singh.
	Mr. W. M. Ilahibaksh Bhuto.
	Haji Chaudhury Mohammad Ismail Khan.
	Mr. B. N. Misra.
	Pandit B. P. Bhattacharya.

For Lieutenant-Colonel H. A. J. Gidney—

*Proposer—*Nawab Sir Sahibzada Abdul Qaiyum.

[Mr. President.]

Seconder—Mr. A. H. Ghuznavi.

For Sardar Gulab Singh—

Proposer—Mr. Amar Nath Dutt.

Seconder—Mr. Raghuber Singh.

I have received two further nomination papers in which the proposer in the first one is Raja Ghaznafar Ali Khan and the seconder Dr. L. K. Hyder, the proposer and seconder of the other nomination paper being Maulvi Mohammad Shafee Daoodi and Mr. Amar Nath Dutt respectively. As the name of the candidate proposed has not been mentioned in either of these nomination papers I must hold that they are invalid.

As I announced yesterday, the election of the Deputy President will take place tomorrow by ballot at 11 o'clock.

DEMANDS FOR SUPPLEMENTARY GRANTS.

MISCELLANEOUS.

Inadequate and Unsatisfactory Suggestions and Recommendations of the Indian Statutory Commission.

Sir C. P. Ramaswami Ayyar : Mr. President, when the House adjourned for lunch, I was attempting to discuss the motion or cut which is now engaging the attention of the House. One thing I may say with reference to this question of the Report of the Indian Statutory Commission, and that is this, that it has produced a singular unanimity of opinion as the result of its labours. Although there have been differences—and pronounced differences—as to the details, yet I do not think I am exaggerating when I say that there is a great amount of agreement throughout the country as to the Report itself, as to the objective of the Report, and where it takes us. Sir, it is my fervent hope that this unanimity will be implemented by further unanimity between to-day and the summoning of the Round Table Conference, so that the delegates who go to the Round Table Conference will confer among themselves before they go and arrive at that concord which would make their united demand irresistible in London. I am also anxious that the course of this debate should also, if possible, present a similar unanimity. I can understand a straight vote either in favour of or against the Round Table Conference ; but the discussion as it has been proceeding and is likely to proceed on these token motions for cuts may conceivably produce needless divergences in detail, harmful perhaps to the best interests of the country. When it is considered, moreover, that on this occasion, as has been pointed out by more than one speaker, it is unnecessary, if not futile, to discuss these different points of view, is it too much to ask the Honourable the Mover, whom I do not see in his place (*An Honourable Member* : “ He is there ”), the Honourable the Mover of this token motion not to press that.

Mian Mohammad Shah Nawaz : What does the Honourable Member say ? (*An Honourable Member :* "Not to press the motion".) I am not bound by your opinion, but by the opinion of the Leaders of Parties. The Honourable Member should consult his Leader. Then he will find out where he stands.

Sir C. P. Ramaswami Aiyar : Sir, it would be arrogance on my part to suggest that that Honourable Member or any other Honourable Member is bound by the opinion of another Honourable Member, but it would not be presumptuous or arrogant to suggest that that Honourable Member is susceptible to an appeal. What I was saying was this. If a straight vote were taken, I could understand those voting against the Round Table Conference, who are convinced that in essence it is wrong and mischievous to take part in that Conference, forcing a direct issue on the House, but to start a discussion on the Simon Commission's recommendations is, I submit, in reality,—though I do not say that in any spirit of disparagement or of any ill-natured comment—to draw a red herring across the trail. That was what was in the mind of my Honourable friend Mr. Jinnah when he made those remarks.

As, apparently, this discussion is going along pre-determined lines, let me conclude my remarks with just a few observations. I support the Round Table Conference, because I am a believer in the irresistibility of a great and true idea. I believe that the ideal and the idea of Dominion Status for India is such a great and true idea. I believe that that idea is bound to succeed, is bound to have its own way before any tribunal, provided that tribunal will exercise ordinary fairness. I have not lost my belief in the possibility of having such a fair and impartial tribunal ; at all events, I am not going to pre-judge the tribunal before I have appeared before it. It is in that spirit that I am supporting the Round Table Conference, and I trust that those who are standing aloof from it will also realise that not to go there is really to disbelieve in the strength of their case. From that point of view, I again repeat the appeal which I made before lunch that it should be possible for the Government and the great parties to come together in peace and concord and to arrive at a *modus vivendi* by which the organised and one-pointed opinion of India can force itself upon public opinion and the bar of world opinion, so that the legitimate and the united demands of India may be met and satisfied. In that way lies the happiness of India. In that way lies the future happiness of Great Britain. The thinking minds in both countries, notwithstanding temporary obfuscations and temporary disagreements, must realise that. In conflict there is danger ; in union there is strength. Let us in that spirit work so as to make this Conference the foundation stone of that great edifice of Dominion Status,—not a far-off ideal, but an immediate ideal for which many of us are working and yearning. (Applause.)

Mr. B. N. Misra (Orissa Division : Non-Muhammadan) : As this is a Demand for the Round Table Conference, I believe, this House is entitled to know whether it would consist of the representatives of British India alone. We have already seen in the newspapers that there will be twelve members from the Indian States and the States' people. Sir, up till now, in the annals of British history, there has been no occasion when the Indian States, or their people, joined the British Indian Administration or the

[Mr. B. N. Misra.]

British Indian people. Sir, when the Princes' Protection Bill came before this House, it was thrown out because it was said that we had nothing to do with the Indian States' administration, nor had the Indian States anything to do with the British Indian administration. We were told all along that we were separate and that the British Indian people have nothing to do with States, which have nothing to do with us. The States have not advanced in education to the same extent as we have advanced in the British territories. With the greatest respect to the States and their Rulers, they have never been accustomed to the same system of administration and education as we enjoy in the British portion. With due respect to the Rulers and Princes, although they enjoy vast territories and possessions, I must say these are the very cause of the misery of the Rulers. Probably they do not enjoy the same freedom as we ordinarily enjoy.....

Mr. President : Order, order. The Honourable Member cannot go into the internal administration of the Indian States.

Mr. B. N. Misra : I was only pointing out that they have not advanced to the same extent as we have. Probably it will be difficult for them to appreciate the position in British India. They have never taken any interest in the progress of the British Indian people. So it will be very difficult for the Rulers of the States or their peoples to join with the British Indian people in their aspirations and in their demand for self-government. Therefore, I submit, that they will not be proper associates with the British Indian people in their demand. I have some doubts and misgivings about their coming for the first time to join with us in the Round Table Conference. It is probably to frustrate the demands of the British Indians that this scheme has been devised.

Then, Sir, so much has been said about the Simon Commission's Report. In spite of all that has been said about the much maligned Commissioners, I must say that we have talked only of what they have not given. The Honourable Members on the Treasury Benches have not thought of giving effect to their recommendations. I refer to their recommendations in respect of the Oriya-speaking people. In their Report, on page 312 of the second volume, they have stated that, as regards provincial areas, the question whether some redistribution is desirable should at once be taken up, and they mention that the case of Sind and the Oriya-speaking people will be the first to be considered. My submission is this. Whatever may come out—we all assume that some golden egg will come out as a result of the Round Table Conference deliberations—be it Dominion Status or be it Autonomy—it will be of no use to the Oriya-speaking peoples. We are in a minority in four provinces. This House is very keen and the Indian Government is also very keen and very anxious about the interests of the minority communities. We are a minority. What has been done for us in spite of so many declarations ? Sir, Lord Curzon's Government in 1903 made a declaration that the Oriya-speaking tracts should be joined in one province ; also from the Montagu-Chelmsford Report we got something in 1917. They said that a new province should be formed at an early date. The Simon Commission recommended that it should be done at once. We, Indians, are not very familiar with the meaning of English words and expressions. According to the Britisher, does early date mean 20 years or 30 years or 100 years ? We have learnt

to believe that at once means at once, not 100 years or 10 years or a month. Honourable Members on the Treasury Benches have not taken any action in the matter. They have not brought forward any proposal for the formation of an Oriya province at once. Whatever may be the reforms or the new constitution of the Local Governments or the Central Government, in any case they will be of no use to the Oriyas, unless the formation of a new province is taken up at once. Sir, the Treasury Benches ought to realise that the Simon Commission should not form the basis or the only basis in considering the interests of every class and community in the country. As regards other matters His Excellency has very kindly announced that the Conference will be free to consider any matter. The only objection is that we should be asked to mix with the Rulers of the States. It is left to them to follow our system or not. My point is that the question should first be decided for British India alone. Let other people come in or not, as they like.

Dr. Ziauddin Ahmad (United Provinces Southern Division : Muhammadan Rural) : I sent a direct motion recommending to the Governor General in Council that he may communicate to the Secretary of State for India that the Simon Report is not acceptable to this House ; but unfortunately during the last 12 years when I have been in different Councils, I have never had good luck at the ballot. This time also a colleague of mine who also sent in a similar motion drew it, but drew it at the fourth place on the last day, that practically meant that the debate would probably never come off. Consequently I had to enter by the back door and I sent in a cut to the motion which is now under discussion, but it was agreed between us that I should not move it but should simply support the cut now moved by my Honourable friend, Mr. Shah Nawaz. I admit that there are some persons who maintain that the Simon Commission's Report is a back number ; it is useless to waste time over it. I hold a somewhat different opinion, and I say that the Report is here. (*An Honourable Member* : "Burn it".) How can I burn it ? I paid for this Report. (Laughter.) Therefore, I have a right to express my opinion even if it may not be worth the paper on which the Report is printed.

Mr. Gaya Prasad Singh : Perform its funeral ceremony.

Dr. Ziauddin Ahmad : Persons who practically do not acknowledge the Report at all remind me of a story, which is not a story but a fact which happened in my presence. One gentleman went to the police officer of a town in Germany to get permission to go out, as according to their rule every *bona fide* German must inform the police if he leaves the town for more than a fortnight. The policeman said, "My friend, how can you leave the town ? You are not yet born ; your name is not in my book. I cannot issue permission because you do not exist". Now, Sir, I wish to express my dissatisfaction with the Simon Commission's Report, both from the point of a view of an Indian and from the point of view also of a Mussalman. I must say that the Report is disappointing. It is unimaginative, uninspiring and unsympathetic. One can see the contrast between the first volume and the second volume. There the thoughts are different, the language is different and the sentiments are different, and it leaves the impression on the mind of readers that the second volume is not written in such a masterly manner as the first volume and I am led to suspect that Sir John Simon, under official and professional pressure of work, may have asked some junior to write the second volume for him.

Mr. B. Das : How do you know that Sir John wrote the first volume ?

Dr. Ziauddin Ahmad : It is only a presumption, Sir. There has been a good deal of talk amongst persons who derive their inspiration from Government, about Dominion Status. Those persons believed that the best way of pleasing officials was to demand " Dominion Status ". They are also disappointed because the words " Dominion Status " do not occur in the second volume at all. I looked for these words very carefully but I find that they do not occur anywhere.

An Honourable Member : They were intentionally omitted.

Dr. Ziauddin Ahmad : I do not find the words anywhere, and shall be glad to stand corrected if there be any.

Nawab Sir Sahibzada Abdul Qaiyum : You are quite correct.

Dr. Ziauddin Ahmad : Sir, in the first place I draw attention to the question of the Frontier Province, and this for two reasons, because, (1) the present disturbances which are going on may lead to complications not only in that province but all over India, and (2) they may also affect our frontier policy. Therefore, Sir, if you will excuse me, I should like to go in some detail into this frontier province question.

Mr. President : I am afraid I cannot allow the Honourable Member to go into details, after all that has been said this morning.

Dr. Ziauddin Ahmad : Then will there ever be a chance some other day to bring up the subject ?

An Honourable Member : Never, in the near future.

Nawab Sir Sahibzada Abdul Qaiyum : Leave out the word ' detail ' and you will be all right. (Laughter.)

Dr. Ziauddin Ahmad : Sir, we all know that the Frontier Province once formed part of the Punjab and then it was separated. I may quote from Lord Curzon's despatch to the Secretary of State and that was practically the keynote of the separation.

Mr. President : I am afraid I shall not be able to allow the Honourable Member to go on like that. He will have to restrict his speech to the Demand.

Dr. Ziauddin Ahmad : I shall come only to the broad observations about the Frontier Province and shall leave out the details for some further discussion. That province was denied the Morley-Minto reforms ; they were ignored in the Montagu-Chelmsford reforms. The Bray Committee was the first body which seriously discussed this question. Now that Report was published a few years back, and had action been taken on that Report immediately, then all the occurrences which happened during the last few months would have been avoided.

Mr. President : Now from the Simon Commission's Report you are driving to the Bray Committee's Report. I think I cannot allow that.

Dr. Ziauddin Ahmad : The Bray Report is rather important because the Simon Commission endorsed the recommendations of that Committee.

An Honourable Member : The Simon Commission refer to the Bray Report.

Dr. Ziauddin Ahmad : The Simon Commission say that they entirely agree with the Bray Committee's Report, but when they come to the actual recommendations they do not go even so far as the Bray Committee did. The latter recommended sixty per cent. of the elected members in the Council, while Sir John Simon's Report reduced the number from 60 to 50. The Bray Committee recommended a Minister. There is no talk of a Minister in the Simon Commission's Report. So it appears that they have not gone even so far as the recommendations of the Committee appointed previously which they have endorsed in words but not in practice.

Now allied to the Frontier Province question is really the question of the frontier policy. Now we all know that there are three policies, that is, the forward policy, the stationary or stay-on policy and the backward policy, and we expected that Sir John Simon's Commission would discuss these policies and would definitely pronounce judgment in favour of one or the other. But reading between the lines, I have a strong suspicion that they are really in favour of the forward policy. Now this is an important question, and whenever Government contemplate a change in policy, it is very desirable that this Assembly should be given a chance to discuss it. This will establish good relations between the Executive and the Legislature. Now the forward policy was advocated by Lord Roberts in the famous debate in the House of Lords in 1898 and it was also accepted by the then Under Secretary of State, Lord Onslow, and also it was advocated afterwards officially by the Secretary of State for India, Lord George Hamilton in 1901 ; and I have not seen any kind of official negation of this forward policy. I expected that this particular policy at least would be discussed by the Simon Commission and that they would recommend India not to adopt the forward policy, but to remain at the Durand line. I think those who go to the Round Table Conference should clearly define the limits of British India, and tell us what our commitments are, and to what extent we are bound to pay for the maintenance of the Government policy in the North West Frontier Province.

Now closely allied to the frontier policy is really the policy of defence. Now there are three kinds of defence. The first is the defence of the five settled districts from the raids of the frontier tribes on the side of the Durand line. Then there is always a chance of an attack from the trans-
 3 P.M. border tribes and also from Afghanistan. Then, there is the Imperial question of the defence of our North West Frontier Province from attack by Russia. As regards the first point, the Simon Commission's Report, while endorsing the Bray's Committee's Report, admitted that it is the business of the people of the Frontier Province themselves to defend their province against the attack of the trans-border tribes who are under the protection of British India. Now, for this purpose, we give them all the protection that the Bray's Committee recommended, *e.g.*, militia, constabulary and everything else. And it is but right and just that the Government of India ought to make adequate contributions to the Frontier Province for this kind of self-defence. This force which is required to protect the inhabitants of the settled area should be placed definitely under the Local Government. Then, there is the second question of the defence from the invasion of the trans-border tribes, that is, those tribes who are on the other side of the Durand line. For this purpose, we do not require a really large army. Experience has shown that the Foreign Office is much more important than the Military Department for this

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purpose. I do not want to mention the details, as you have ruled, Sir, that we cannot refer to them to-day, but anyone who will consider the past history will find that, though an efficient army is an important factor, yet the Foreign Office plays a still greater part in the defence of India. We do not want a very large army for the purpose. This army required for this second defence should be under the Army Department of the Government of India. Then, the third defence is the defence of the North West Frontier Province from a foreign attack. This, as has been pointed out by the Simon Commission, may be an attack of an Imperial nature, as it may possibly be due to a trouble in any other part of the British Empire. The whole fight may be fought on the Indian territory for international reasons. Therefore, that kind of defence ought to be taken as an Imperial question and not an All-India question. Now, the way in which the Simon Commission have suggested the solution is very much open to question. I put it rather bluntly when I say that they have recommended that India should have, what I may call, an army of occupation, that is, an army entirely under the Imperial Government having no connection whatsoever with the Government of India. In my opinion it savours more of an army of possession than the army of defence.

As regards the Imperial defence, I would very much like—and I would urge upon the Leader of my Party to take note of it when he goes to the Round Table Conference—that it should not be considered with reference to India alone. It ought to be considered with reference to all the Dominions and also the mother country. India ought, of course, to contribute her share to Imperial defence. India should not hesitate to bear it. My point is that, whatever strength may be fixed for India by the Council of Imperial Defence, India should provide it; but this force should not be an Imperial force, but it should be an Indian force which should be entirely under the Government of India and not under the Imperial Government. India ought to pay her share in the general defence of the Empire.

I assume that India will also require an army for purpose of foreign defence, as well as internal peace, and it is important—though it may not come off all at once—that the army ultimately ought to be an Indian army manned by the Indians and entirely under the Government of India. For this purpose we ought to make provision for the training of the Indian officers. I have really to note with great regret that the important five recommendations of the Sandhurst Committee have not been given effect to by the Government of India. Those demands were very modest and did not contemplate that the whole Army should be Indianized at once, but according to their scheme it would have taken about 26 years even to get half of the officers Indians. I might mention that the most important of the five recommendations was the establishment of an Indian Sandhurst. The second recommendation was the expansion of the Dehra Dun College, about which nothing has been done. The third recommendation was that the Government of India should impress upon the educational authorities the paramount national importance of improving their system of education. The fourth recommendation was the training in technical arms, and last of all was the special instruction for the officers holding the Viceroy's Commission, so that they might be eligible for appointment to the King's Commission. Now, none of these five recommendations has been given effect to,

and I would very much like to say that, if the Army is to be Indianised, these recommendations ought to have been accepted and followed.

Sir, I next come and make some passing reference to the question of the Indian States. This is the first time that recommendations have been made that they ought to come in in the Federal Assembly. We have heard so far the theory of two Indias promulgated by Sir Leslie Scott. I had the opportunity to attend several meetings in London addressed by him on this topic, but I daresay the impression produced on my mind, and also on the minds of many other persons with whom I had the opportunity to converse, was just the reverse of what Sir Leslie Scott wanted to communicate. He said that there are two Indias, the Indian India and the British India, and that they ought to be governed on entirely two distinct principles. His advocacy has done more harm to Indian States than to British India and I am rather glad that the Simon Commission have at last in their first volume, which is really the most important from our point of view, admitted that geographically, economically, socially and politically, the two Indias are practically one and form part of one organic whole. It is impossible to make a differentiation between them. But when they come to make their recommendations definitely, we find that their recommendations are not in keeping with the fundamental facts which they propounded in their first volume. Now, they begin with the definition of the paramount power. The expression "paramount power" has been defined time after time. It is quoted in Harcourt Butler Committee's Report, and it was also quoted in the despatches of Lord Reading that the paramount power is the King Emperor in Parliament, acting through the Government of India. So, in that case, the real power was practically vested in the Government of India. Now, the Simon Commission have made a fundamental change in the definition of the paramount power. That is to say, in place of the Government of India they have placed the Viceroy. Of course, the word "Viceroy", as we know, does not occur in the Government of India Act at all. The only place where it did occur was in the Proclamation of the Queen in 1858. At any rate, the Simon Commission want to bring it in here again and have thus made a differentiation between the Governor General in Council and the Viceroy. This is rather a change of fundamental importance because it will really mean a differentiation between the Indian India and the British India, which they wanted to unite.

The second important point in which their recommendation contradicts the fundamental principle is the creation of a Council for Greater India. This Council of Greater India, we see from the Report clearly, will not be a sub-committee of the Federal Assembly. It will be something parallel to it, and they have recommended at one place that it may be quite possible that a sub-committee of this Council of Greater India may work in harmony with a sub-committee of the Legislative Assembly. Therefore from this fact and from other recommendations, it is quite clear that they were contemplating the Council of Greater India distinct from the Federal Assembly. If we want to have one India and not two Indias, then it is very desirable to have one form of Government and not two forms of Government; that is one under the Governor General in Council and the other under the Viceroy. Because this would really mean two Governments, and not one. The inclusion of the States under Greater India, I admit, is a very difficult problem and a problem which has to be faced sooner or later, if we want to build a constitution for the whole of India.

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It is a fundamental principle at least to me—others may not agree—that a monarchical form of government cannot exist under a democratic form of government. Look at Germany, with the disappearance of Kaiser, all other monarchies which formed part of the old German Empire disappeared at the same time, in spite of the fact that some of the Dukes were very popular. I think if they agree to come into the federal India, it is exceedingly desirable that we ought to treat them very delicately and very cautiously, because they are really making a great sacrifice in coming to a common Government and forming part of the federal State.

A few other points I would suggest for the consideration of this House for they will have to be discussed sooner or later. The first is when we give seats to Indian States in the Federal Assembly, it is very desirable to give them, like minorities, more seats than their numerical strength may entitle them to get. During the transition period we should treat them with as much care and with as much courtesy as may be practicable.

The second thing which is also very desirable is the regulation of Customs. Now, Customs, we know is rather an important question from the point of view of the Central Government and several Indian States, and I think we cannot do better than adopt the general methods of the old German Empire before the war which our conditions most resemble. For the control of Customs we may institute what is called a 'Zollverein'. This is also referred to in the Butler Committee's Report. I think the *Zollverein* will solve the question of Customs, and the differences between British India and Indian States will disappear. Sir, another question which is also very important is the adjustment of financial relations between the Indian States and British India. There is the question of railways, there is the question of communications, and there are many other questions such as the Mint and Post Offices in which financial adjustments would be necessary between British India and the Indian States, and for this purpose, probably a Committee in which the Central Government and Indian States may be adequately represented will have to be instituted to go into details.

Sir, as I said, I do not like to go into the details. Had I been permitted, I would certainly have referred to the question of zemindars. They are the main support of the Government and they are very badly treated in this Report. They are deprived of special seats and they are advised to pay double taxes. I have not seen in any country in the world that any person is asked to pay income-tax twice over as the landowners are asked to pay, first in the shape of land revenue to the Local Government and a second time again in the shape of income-tax to the Imperial Government. That is an important question, about which I am not allowed to go into details at present.

The next question of policy which I would like to discuss is the question of education. I was greatly disappointed in not finding a single section in the second volume of the Report dealing with education in spite of the fact that the Simon Commission appointed a special Committee for this purpose, and I expected that at least they would review the findings of that Committee and lay some definite recommendations. It may be argued that education is a transferred subject and the Central Government, and probably the reformed constitution, should have nothing to do with it. Education may or may not be a transferred subject, but it is of

such importance that no person who is interested in the welfare of any country can overlook it. At present education is not very satisfactory and there are several reasons for it. The first reason is that, though we have appointed Ministers, very often, I do not say always, the Ministers are not educational experts and sometimes they do not have the benefit of University education themselves. In the second place, the Government have not provided them with money.

Mr. President : I think the Honourable Member has gone too far. He is going very much into details and I am afraid that he should restrict his remarks to the general policy and not to details.

Dr. Ziauddin Ahmad : I want to discuss the policy that it ought to be the duty of the Central Government to help the Provincial Governments in education. That is the point which I wanted to discuss.

Mr. President : That is finished.

Dr. Ziauddin Ahmad : I am just touching the question of policy and I would ask the Honourable the Finance Member to give me, from his experience, the instance of any country in the world in which education is not supported by taxes and Customs. Every country in the world devotes its funds derived from railways, from income-tax and from Customs to support education, partially though not entirely. Here the Central Government gets all the income from Customs and from income-tax, but does not spend a penny in education which it is their legitimate duty to do. Therefore it is rather an important financial question to be discussed in the Round Table Conference. They should discuss how far the Central Government should make contributions to the Provincial Governments for the purpose of education. Without such assistance, mass education or technical education is not likely to prosper. The other question of policy about education is that we are all feeling just now the pinch of unemployment. Now, whenever we speak of unemployment in India, we do not mean unemployment of the labourers, but we always mean the unemployment of educated middle class people. Where does the fault lie ? It lies in the system of education and it is very desirable to change the ideal of education. Our ideals were designed, our machinery was devised, fifty years ago by the Hunter Commission in 1882. Many things have happened during the last fifty years since that Committee met. We have been demanding compulsory primary education ; we have been demanding technical education ; we have been demanding a change of educational ideal, but no notice has been taken by any province.

Mr. President : I hope the Honourable Member will pass on from education to some other important subject.

Dr. Ziauddin Ahmad : Sir, as you and other Members think that education is not an important subject, therefore I leave it along and I pass on to another topic which I hope may interest you more, that is, the question of the Muslim point of view. (Hear, hear.) From the Muslim point of view, I have also examined the constitution very carefully. I do not speak for Provincial Legislatures, which I leave to the provinces to discuss, but taking the Central Legislature, I find that we are put in the background. In the Lucknow Pact it was agreed that the Muslim strength in the Assembly should be $33\frac{1}{3}$ or one-third. Now, the Simon Commission, in their Report, reduce it to 28 per cent. Now, if you work out the figures in detail, Muslim representation, in practice, will work out to less than

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one-fourth. If we include the representatives of the Indian States, then the number of Muslim representatives in the proposed Federal Assembly will be further reduced to about one-fifth. Now, this is a very serious item, and it is very desirable to find ways and means to overcome this difficulty and adjust the position of the Muslim strength in the Assembly by nomination or otherwise, equal to one-third, which is really the proportion fixed by the Lucknow Pact.

Mr. C. S. Ranga Iyer : Sir, I believe the Honourable Member is labouring under a misapprehension because there is no such provision in the Lucknow Pact.

Dr. Ziauddin Ahmad : The Honourable gentleman says there is no such provision. If I had the first volume of the Report with me I would have been able to show that the proportion is fixed at one-third. It is given in Appendix VIII of the first volume.

Mr. C. S. Ranga Iyer : I would ask the Honourable Member to read page 259 of the Report of the Indian Central Committee, where the facts are given.

Dr. Ziauddin Ahmad : I will deal later on with this point of order, if permitted.

Mr. C. S. Ranga Iyer : It is not a point of order. It is a point of information and accuracy.

Dr. Ziauddin Ahmad : The second point is the question of the provision of Muslim members of the Cabinet in the provinces and in the Cabinet of the Government of India. People may say that it is not necessary to make statutory provision, because in practice it will happen to be so. But a contingency may possibly arise and we have to provide for all emergent cases. It is quite possible that in a province where the Muhammadans may be in a minority a difficult political situation may arise when the majority community may say that they would pass a vote of non-confidence on the Ministry if a Muslim Minister is included in it. Sir, to meet such exceptional situations, it is desirable that statutory provision should be made for the inclusion of at least one Muslim member in the Cabinet.

I need not go in detail into the other questions. They have been worked out in the 14 points of Mr. Jinnah and also in the Resolution of the All-Parties Conference. Looking into these demands we find that there is only one point which has been acceded to, i.e., separate electorates in the provinces. With this exception, all the points have been neglected.

Now, Sir, I come to the Round Table Conference, and I will make just one or two suggestions about it. One very important thing is the communal question. I strongly urge that the persons who will have to deal with the matter should try to settle this communal question in India before they go to England, and if the communal question can be settled in India, all the members can put their forces together and get the best possible constitution for India. If by chance they could not settle it by themselves, I would not hesitate to admit my weakness frankly and ask the third party to come in and settle our differences. We should be ready to pay high fees for this weakness. It is very desirable to settle this thing before we go to the Round Table Conference, and if unfortunately we cannot come

to any agreement, it is quite possible that our future efforts may be wasted in the same manner as efforts and money were wasted on the Simon Commission.

Mr. M. K. Acharya : Sir, I thank you for allowing me on this very first day of the debate on this very important question to express frankly my views on the problem in general which is before the House and before the country at large. I came to this House this morning with a feeling of great shock and grief ; because on my way I saw a demonstration which showed how fast we were denationalising India and corrupting the best products of India into something which might do credit to other countries, but not to the soul of our ancient Motherland. I saw before me a number of girls misled into playing the part of picketers. This may please the hearts of those people who want to transform India into another America and to bring India to Miss Mayo's diabolical standards ; but it gave my heart great grief to see my daughters and sisters so spoiled. God forbid that these things should go on !

An Honourable Member : Why should they not do it ?

Mr. M. K. Acharya : I decline to answer that question. If the Honourable Member really wants to learn what European scientists call the Law of Sex 'Polarity, he should pay me for it and learn it in the proper place and manner. This is not the place for it. I am sorry that an Indian should put that question to me on the floor of this House, and ask why should our daughters and sisters not go on such dirty business ?

Sir, I shall now draw the attention of the House to the larger problem which I think is really the serious problem before us, which India either today or tomorrow will have to solve, namely, as to what is to be her immediate political destiny. Sir, what we see today in the country, as far as I, an old man, can recollect, is simply a repetition of what I saw in 1921 and took part in, of what I saw in 1917 and took part in also. It is a repetition of that same story ; and continuation of that same struggle that has been going on in this country for over forty years, the struggle between Britishers who would like, if possible, to continue their political domination over India for as long a time as they can, and Indians, who want to secure for India an honourable place of political partnership, though not of independence, in the great comity of nations making up the British Empire. That struggle has been going on for some forty years, and more ; and intensively since, 1916. In 1917, I, a religious lunatic, for the first time became a political lunatic also. I took part in the then Home Rule agitation under Mrs. Besant—under Mrs. Besant who was shut up because she was the leader of the Home Rule agitation. My friend, Sir C. P. Ramaswami Ayyar there, must remember those years very well. So should my other friend, Mr. Srinivasa Iyengar, now not here, the then Advocate-General of Madras, upon whose advice it was that Mrs. Besant was shut up. She was interned because of certain articles, of which one was written by myself in *New India*. I simply said that the struggle was a spiritual struggle, between Hiranya and Prahladh, between brute force on one side and soul force on the other. It was for publishing this that Mrs. Besant was shut up in 1917 ! Similarly in 1921, there was this demonstration of national aspiration on one side met by repression, as it was called rightly or wrongly,

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on the other side, when a number of people were sent to jail in the course of the non-co-operation movement. Today we see very much the same thing. It does not matter how it has been brought about some of the best sons of the country—I speak with emotion, rightly, I hope—some of the best children of the country have been shut up in places where they do not deserve to be sent.

How shall we help the cause for which they are suffering ? That is the problem ; and what are we here for ? We who are supposed to be also fighting for the liberties of the country, how may we best solve this question ? How shall we prepare the way for the Round Table Conference which is after all to be convened only in order to find out a solution for this great problem of how to adjust the claims of the party on that side which says, “ As long as I can, I shall dominate over India ”, and of the party on this side which says, “ As soon as I can, I shall liberate myself from that domination and see that India gets self-government ”. This is the plain and simple question. Now let us realise the real issue. I am sorry that the discussion should have been drawn into side-tracks such as how many rupees should be demanded for education, and how many places for this community or that. After all the real question is, shall India have an honourable place under the sun or not ? Shall she be an honourable partner in the great comity of nations that make up the British Empire or not ? I would beg of everybody here to pay his best attention to solving this problem, and not be obsessed by what may happen temporarily to Baluchistan or Peshawar, nor whether Muslims get 20 or 30 or 40 per cent. of seats. I beg on my knees of my Muslim friends to keep aside all this talk of 30 and 40 per cent. of seats ; they may take 50 per cent. or 60 per cent. or even cent. per cent. in the fullness of time ; but I beg of them now to concentrate on winning freedom for India ; and not to demean the name of their community by any preliminary demands that Moslems should have 40 per cent. representation in the services or 30 per cent. in the Round Table Conference or in the Councils and so on.

These are very very minor questions. But first let us get from those who have got in their hands the power to give ; I mean constitutionally, what we want for the whole of India. Let us make them realise that all Indians are united in demanding for India what I would call self-determination—not Dominion Status. For to me Dominion Status is a contemptible thing, and connotes only the domination of the few over the many : it is nothing but the domination of a handful of middle-class leaders—the British Parliamentary system is nothing but the domination today over England of MacDonald and his dozen ; tomorrow it may be of Baldwin and his dozen or of Lloyd George and his dozen ; but there is no real democracy even there ; and therefore the British Parliament is not my model. Yes ; let us make it clear that we are determined to win for India some form of self-government in which all the various communities and interests and castes and creeds shall have then due share. And I for one am neither afraid nor ashamed, as others are, of this tangle of castes and creeds for amidst all the diversities of castes and creeds, of communities and languages, India has ever progressed. Indeed, India has always stood for Unity in diversity ; she is, divinely an epitome of the whole world. And so India is destined to be a cultural guide to

the rest of the world—not Britain, not America, not Canada, not Australia. I am proud to belong to an India so diverse seemingly. Now all these communities and interests have to be welded more and more until one day India will set the example to the world of how all may unite, not only politically, and socially, but culturally and spiritually, how all may qualify themselves to stand before the Throne of God. Yes, it is for India to show to the world how diverse paths all lead to one goal. This is India's appointed destiny.

Sir, the Simon Commission's Report naturally is just as good or as bad as any other Report of that kind. I am not going to attach undue importance to it, or go on dissecting its details. It is quite like any ordinary Government report. The first volume contains a lot of statistical and other information which we all knew already; there is nothing wonderful about it,—it contains a lot of census figures and so on. I do not see why any one should be upset about it: this first volume may be of some use to people over there in England, it is no use to us here. As for the second volume containing the recommendations, I must say it is of very mixed merit, it contains proofs of great logical ingenuity, not of psychological foresight, nor of human warmth. We should not take seriously those people who say, "Oh, it is an invaluable report; it marks a great landmark" and all that. This is all the art of advertisers. I am not bound by their opinions. Even the New Testament is thrown into the sea by some people: is the Simon Commission's Report going to be the gospel for all futurity? Sir, my friend who interrupts me there must set himself to read the history of the world. Many Royal Commissions have come and gone; many a settled fact has been unsettled. It was forty years ago that the *Times* of London wrote something like this: "Do what you will, the Government of India will never become constitutional; it is by force that India was won, and it is by force that India shall have to be governed." Can anybody think of the *Times* writing that today? Sir, I decline to take seriously any talk about the invaluable, wonderful, the almost divine significance of the Simon Commission's Report. The Simon seven are not the seven sages whether of ancient Greece or of ancient India. They are good men, I do not want to blame them; they have done their honest best—with a dishonest little, perhaps, here and there. I am not overconcerned with what the Simon seven have done; we shall take that Report for what it is worth.

This is quite by the way. I am sorry, that I have been deflected from the trend of my argument. As I said, the struggle is, if the other side will permit me to put it frankly, between British Diehardism on the one side and Indian nationalism or radicalism on the other. British diehardism or, to use a milder word, British Conservatism says, "It is a very long way to responsible government that you have to traverse; and you will have to go very slowly; and we cannot part with control over you in a hurry". On this other side you have the surging demand for political freedom, growing in intensity every hour. It is not confined to men today; women have come into the movement. How are you going to reconcile this obstinate British diehardism with the demand of Indian nationalists that they should be forthwith masters in their own house? That is the question. It is a very difficult problem to solve without doubt; because in the first place there is a such great ignorance on one side and such a great distrust on the other. I do not believe that the Simon

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Report will go far to dispel either British ignorance or Indian distrust. I do not believe that the Report is going to make the people of England become all wonderfully acquainted with the conditions in India or genuinely sympathetic towards Indian aspirations. I really do not know how many are even going to read the Report ; very probably it will have a seven days' sale in the market and will then disappear. But whatever happens to the Report, Sir, you have the gross ignorance to reckon with of the average Britisher with regard to India on the one side. On the other side you have the great, the almost colossal distrust—not quite unmerited, I fear,—which Indians feel with regard to all protestations from England. This is the two-fold difficulty. How may we truly bring India and England together ? Sir, I believe that India and Britain have a great common purpose to serve in the world that is to be. It is for that purpose they have been divinely brought together—not for any paltry Dominion Status for India or territorial domination for England—but in order that international adjustments may go on smoother lines hereafter than heretofore, in order that Universal Dharma, so necessary for the peace of the world, may be safeguarded ; in order that true Islam may triumph—not technical Islam. For this India and Britain have to be even more closely welded together ; how shall we do it ? How shall we get rid of the terrible ignorance of the Britisher on the one side, of the colossal distrust and lack of confidence of the Indian on the other ? I believe that is the problem that His Excellency Lord Irwin is trying to solve ; I believe that all these three years he has been attempting to bring some among the best Britishers and some of the best of Indians together in order that they may help to solve this problem.

Apparently, it is only a problem of constitutional advancement for India, but really, in the long run it will be found, it is a problem of world solidarity and world progress. It is a colossal problem therefore. We Indians have been trying in our own way to solve it. We said in 1921 that the Montagu-Chelmsford reforms were inadequate, unsatisfactory and disappointing, and a good many of us stood aloof from working those reforms. But in 1923 we tried to make some kind of compromise ; and some of us did come in ; and the very first thing we did, as soon as we came in in 1924, on the floor of this House, was to pass a Resolution demanding constitutional revision, and pointing out the method of that constitutional revision. What was that method ? Here, Sir, is the Resolution moved by Pandit Motilal Nehru on the 8th of February, 1924, which said :

“ This Assembly recommends to the Governor General in Council to take steps to have the Government of India Act revised with a view to establishing full responsible Government in India and for the said purpose to summon at an early date a representative Round Table Conference to recommend, with due regard to the protection of the rights and interests of important minorities, a constitution for India.”

This is what in 1924. Pandit Motilal Nehru himself as our leader, my leader then he was,—I wish he were my leader in the House today—and he was then also the leader of my friend over there, Mr. Ranga Iyer, that is what Pandit Motilal Nehru demanded in 1924. Sir Malcolm Hailey with great eloquence quoted from Shakespeare and described the Pandit as being :

“ Like one who stands upon a promontory

And spies a far-off shore where he would tread,

Wishing his foot were equal with his eye ;
 And chides the sea that sunders him from thence,
 Saying that he will lade it dry to have his way."

And so, Sir Malcolm practically said, "How are you going to get to that Heaven?" In a word, he said, we must wait and wait and wait. Now the House will see that a Round Table Conference was proposed in 1924, to settle the details of our constitutional scheme; and after that, Pandit Motilal Nehru's Resolution wanted "to place the said scheme for approval before a newly-elected Legislature for its approval and submit the same to the British Parliament to be embodied in a Statute". So we did recognise the British Parliament as the final authority to pass the statute revising the Indian constitution. The same process I hope, Sir, we shall be able to accomplish now, if there be goodwill on both sides, by means of this proposed Round Table Conference. We shall attempt in December or in whatever month it may be in the year 1931, a thing which we wanted to accomplish in 1924, I mean through a preliminary Round Table Conference settling the details of the scheme, with adequate safeguards for British interests, with adequate safeguards for my friend's communal interests, and with adequate safeguards even for the interests of my Brahmin community, if I may say so. All this we wanted in 1924. Let us hope that we may get it at least now, because, after all, man has to live on hope. Therefore, Sir, this idea of the Round Table Conference is no new thing, and those like me who have been in the House for the past seven years, will remember how we tried hard to press this matter then, how unfortunately the then Government of Lord Reading—I wish Lord Irwin had been the Viceroy then—how the Government of Lord Reading kicked that Resolution into the waste-paper basket.

Dr. A. Suhrawardy : You are kicking the Round Table Conference now.

Mr. M. K. Acharya : I am not doing it, Sir. Therefore, Sir, this Round Table Conference, for which we have been asked some money this morning, is not altogether a new thing. At the Round Table Conference, I am glad His Excellency in so many terms announced it yesterday, Indian and British representatives will meet on terms of perfect equality and discuss and settle details. And here again, Sir, may I venture to disclose a little secret? (Hear, hear.) There may be people outside who will say that I have been purchased by Government, that I am attempting to play into the hands of the Government, or other uncomplimentary things about poor me. I am not afraid of what false, prejudiced people say. God above knows I am speaking the truth. Now, if the Congress had been less obstinate and more far-seeing in January, 1928, we might have got, in 1928, January, what we are likely to get in 1930, December. I wish to read to the House, Sir, a draft Resolution from the Assembly debates. This was meant for the 16th February, 1928, the day on which we debated a Resolution about the Statutory Commission, when the boycott of the Statutory Commission was resolved upon a Resolution moved by the late Lala Lajpat Rai. That was done because the Congress in 1927, very unfortunately, in my opinion; resolved on the unconditional boycott of the Simon Commission. Although I was an ardent Congressman, although I was a member of the Congress Party then, I took courage, Sir, in both my hands, to think

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a little for myself and to put up a Resolution which was slightly different from the Congress Resolution. I was helped by certain very influential and very learned people to draft that Resolution before it was admitted by the President. That draft Resolution of mine the gods decreed to come out in the ballot. Yes ; it did come out in ballot, but I am sorry to say that I had not after all the courage to move it on that day. For, if I had moved my Resolution, as I shall tell you presently, something would have happened which should have saved us all a lot of difficulty. Now, Sir, this was the Resolution which I could have moved on the 16th February, 1928 :

“ This Assembly recommends to the Governor General in Council that he do make an authoritative statement regarding the powers and rights of the Committee of the Central Legislature proposed to be appointed to co-operate with the Parliamentary Commission on Indian Reforms ; and this Assembly further recommends to the Governor General in Council that he do inform His Majesty's Government in England that in the considered opinion of this House no such Committee should be appointed, unless the Committee have absolutely equal rights and status with the Commission and the Joint Committee of Parliament in sifting the materials collected by the Government in India for any inquiry into the working of the present Reforms, and also in taking and testing evidence relating to further Constitutional Reform, including draft Constitutions for the establishment of Responsible Government in India.”

This Resolution, in other words, demanded that the Indian Committee and the Statutory Commission should sit on equal terms and sift all the materials, produce one joint Report, submit it to Parliament ; and when the British Cabinet brought its Bill before the Joint Parliamentary Committee, the Indian Committee should sit on equal status and terms with the Joint Parliamentary Committee and examine that constitution. This was my Resolution, Sir, then, and I must say that, when this Resolution came out in the ballot, then very, very strangely, I received a note from Government House calling on me to see His Excellency the Viceroy. When I went to him, he asked me to go back and tell the leaders of my party that His Excellency would be willing to accept this Resolution if moved. That is a secret which I kept confidential during these two years. But on that eventful day in 1928 I was after all persuaded to think that as a humble member of the party, the party mandate was binding on me ; and so when I was formally called up, I simply said that, “ Under instructions of my party I do not move the Resolution ”. Then came the next Resolution of Lala Lajpat Bai, and he of course thundered away and easily succeeded in persuading the majority in the House to accept his Resolution for unconditionally boycotting the Commission, and the boycott was passed by a majority of this House. Now, Sir, I am in a position to state the honest truth I knew that, even in 1928, His Excellency Lord Irwin was for securing for the representatives of the Central Legislature in India absolute and perfect equality.....

Mr. C. S. Ranga Iyer : On a point of order, Sir. Is it in order for an Honourable Member to refer in this House to some conversation which he is alleged to have had with some high authority outside ?

Mr. President : I hope the Honourable Member will avoid making a reference to some private conversation he had with some one outside.

Mr. M. K. Acharya : Sir, I take the fullest responsibility for the truth of my statement. Yet I bow to you ; I do not want to drag in anybody's name. I simply make the statement, and I say I take the fullest responsibility for the statement, that in 1928 the Government of India were prepared to secure for any committee that might be appointed by the Indian Central Legislature equal status and equal powers with the Statutory Commission appointed by the Parliament in 1928 and with any Joint Parliamentary Committee later. I do not want to drag in names ; but I do make the statement that I have good reason to believe that for the past two or three years His Excellency the Viceroy and the Government of India have been trying to secure for Indian representatives and for British representatives occasions and opportunities to come together, to discuss freely, and to arrive at some satisfactory solution of the great constitutional problem, in which solution both England and India are both vitally interested. That is the point towards which I am driving. The Round Table Conference idea, I do not believe, dropped from heaven at the end of 1929. I believe there was a desire—I do not know whether the original initiative came from the Government of India, or the Government in England, or from which particular statesman, here or there, but there has been during these two years a desire,—and I give credit for it to the Government of India in the collective sense, because I suppose I should not refer to His Excellency Lord Irwin—there has been some real desire, so far as I can see, to bring the representatives of India.....

Mr. President : I hope the Honourable Member will avoid repetition and will come to the point.

Mr. M. K. Acharya : I am ready to sit down if my talk is unpleasant.

Mr. President : I do not want to gag Honourable Members, but I want that the Honourable Member should not repeat the same argument. He has been repeating the same thing over and over again. I should like the Honourable Member to speak to the point at issue.

Mr. M. K. Acharya : I, of course, bow to your ruling ; but I am not accustomed to be an irrelevant speaker, I thought. However, Sir, I shall try to learn, if I can, even in my old age the new laws of relevancy. Now, Sir, here is the present troublesome situation. Just as in 1928 the Congress resolved on unconditional boycott of the Simon Commission and not on qualified boycott, so unfortunately now the Congress has launched on civil disobedience. Greatly as I long,—I do long as greatly as others—to see India free, I say with all veneration, with all respect to the Congress leaders, I am afraid I cannot but deplore the fact that the civil disobedience movement has been started a little too prematurely. After the declaration by His Excellency that there was going to be a Round Table Conference, I for one, speaking in all humility, would have preferred that Mahatma Gandhi should have waited until the Round Table Conference was held ; and then if nothing came out of it,—I for one was always prepared for the worst, “Blessed are those that do not hope for they shall not be disappointed”—if nothing came out of the Round Table Conference, and if then Mahatma Gandhi had started his civil disobedience movement, I for one should be the first of his followers. Any way, the civil disobedience movement has been started ; it has been going on for three months ; and we see the great tension to-day. I

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believe it is our duty today to try to ease that tension, to find some way of bringing the best brains in India and in England together to solve the great question. The Round Table Conference is going to be held, as I see, in order to bring together the best brains of India and of England together. And the purpose of the Round Table Conference, I hope, is, as I have already stated, not to see which particular community should have what number of seats, how many ministerships here, how many ministerships there, or how many appointments elsewhere, and so on, but to find out a general scheme of constitutional development which would enable India to take her rightful place among the great partners of the British Empire. Now, I am very anxious that the very best brains of India should go to England, and so I am in favour of the Round Table Conference.

I am very anxious that the very best sons of India should go to England. I am anxious that men should go—not men who will clamour for particular privileges for particular communities, sub-communities, and so on, but I want that those men should go who will have a larger vision of the future destiny of India, who will demand self-determination for India, the right, in fact, hereafter to shape the constitution in such a way that it will be in the best interests of all the interests in India. Everything else appears to be very subordinate, very subsidiary. I would, therefore, beg of the Government to see, and of this House to see that only the best men are sent. How can the best leaders of India be in England in October or in December unless some way is found to bring out the great leaders who are now in jail? The very great delay taken by the British Government in responding to the Indian appeal, to the persistent Indian demand, has exasperated these Indian leaders. Rightly or wrongly, they are in a place where they do not deserve to be. Can there be any Round Table Conference worthy of India in the eyes of the world without Mahatma Gandhi at the head of the Indian delegation? That is the question that troubles me. I am not, after all, an unqualified follower of Mahatma Gandhi. I have my differences with him, but, with all his faults, he is the greatest son of India today. There is no denying it. He is the greatest son of India today, and I therefore beg of Government to see some way for bringing out Mahatma Gandhi, for bringing out Pandit Motilal Nehru. Without these two and some others along with them, will that Conference, will that delegation to England be a delegation worthy to be called an Indian delegation? Therefore, Sir, we must create the necessary atmosphere of peace and goodwill in India as early as possible by which these great sons of the Motherland can come out. We want to create some true measure of peace and goodwill in the country. On what plank shall we have it? On what programme, on what conditions, subject to what safeguards? These are points which I will beg leaders on this side of the House and leaders on that side of the House very carefully to consider. This civil disobedience movement must stop. The best brains of the country must go, and all of us should put our shoulders together in order to see that the problem of India's future self-government is solved satisfactorily. How are we to do it? How can there be a Round Table Conference, therefore, without this preliminary work within the next few weeks of clearing the atmosphere and making it one of peace and goodwill in

order that the greatest of the leaders of India might come out ? I put this subject of proper representatives down as a definite cut, but I am not keen to move it.

Here are my ideas. I want somebody to go and speak and interpret the soul of India to England. I really do not know who is best qualified for it. I know that there are a great many able children of India,—great lawyers, great educationists, great administrators. Indians there have been great in many walks ; but I am yet to come across a recognised public man who dare dream of the future of India in the spirit in which he ought to dream. I would like to find today somebody like the late Swami Vivekananda ; I want somebody like the late Lokamanya Tilak or Das who will be a first class constructive political thinker. Dominion Status, Nehru Committee's scheme, the Australian constitution, the Canadian model—these are all to me contemptible objectives. I want first class political thinkers..... (*An Honourable Member* : “ Why don't you produce a scheme yourself ? ”). (*Another Honourable Member* : “ What about yourself ? ”) I am not a leader ; I am content to be a follower. Therefore, Government and we alike must take pains to find out the proper men. Who knows there are not in the country great minds ?

“ Full many a gem of purest ray serene,
The unfathomed caves of ocean bear.”

They may not be sitting on the front Benches here ; but I am sure that somewhere in the bowels of Bharata Mata lie hidden great geniuses that can produce some of the finest constitutions in the world. It is your business, of those who want the Round Table Conference, it is your business to find out those talents.

Again, the Government must invite to the Round Table Conference representatives of all parties, communities and interests in the land that count. I know my difficulty. I am speaking now in some representative capacity. A number of orthodox Hindu organisations have put this point before me. Our difficulty is this. Comparatively speaking, my Muslim friends are at a greater advantage ; because they have an All-India Muslim League. But there is no such recognised organisation on behalf of the orthodox Hindu community ; and what organisations there are have not the same status, nor the same advertising capacity in the newspapers as perhaps other organisations have.

The All-India Muslim League looks after the interests of all Muslims.

4 P.M. (*An Honourable Member* : “ You have the Hindu Mahasabha ”). I do not want to you all the recent Resolutions passed about the Hindu Mahasabha ; I may just say that the All-India Sanatana Dharma Conference held in Bombay very recently dissociated itself completely from the All-India Hindu Mahasabha, because the All-India Hindu Mahasabha consists only of a few denationalised social reformers ; and very unfortunately it has ceased to command the respect of orthodox Hindus. That is our great difficulty. Among my orthodox countrymen there are not many who are in the political forefront. There are many great souls, many great Pandits, many learned men ; but the Anglicised Indian has no respect for the old learning which he despises as Panditary. The Anglicised Indian honours only those who can talk English glibly. Whoever can talk the foreign language well, becomes great and poses as a great leader. That is unfortunately the difficulty of the orthodox Hindus. We do not know who are going to be the representatives

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of orthodox Hindu interests at the Round Table Conference. (*Voices : " Oh, oh "*.) I will beg of you not to interrupt me.

Mr. President : I beg of you not to attend to the interruptions.

Mr. M. K. Acharya : I know, Sir, that my friend the great Rai Sahib Harbilas Sarda, the hero of the Sarda Act, may consider himself to be the best representative of all Hindu India in his own estimation ; but I am afraid not even my very esteemed friend, the Right Honourable Srinivasa Sastri, can truly claim to have the confidence of orthodox Hindu India. Therefore it is for the Government to find out who is competent to represent the interests of Hindu India, of orthodox Hindu India. It will not do for the orthodox Hindus to be represented by those so-called reformers who want untouchability Bills and promiscuous marriage Bills and so on. I claim, Sir, we too have a place in India. We make up some 20 or 22 crores of the population of India. Except for a few lakhs of Anglicised Hindu social reformers, all the rest of us are proud to be orthodox Hindus. Our interests must be safeguarded—our religious and our worldly interests, our economic and our political interests also. Therefore, Sir, I plead on the one side that there must be the representatives of the Congress Party—which from the political standpoint, is the most dominating popular party in India ; and I plead on the other side that you must also have some representatives who can speak for the vast bulk of orthodox Hindus who cannot be represented by any Anglicised social reform gentlemen of Bombay or Lahore or even Madras or Allahabad. We also must have some representative there—(in reply to an interruption)—No, Chingleput will not go. That is another point I wish to place before Government.

Mr. President : I hope the Honourable Member will now try to conclude his remarks.

Mr. M. K. Acharya : Yes, Sir. That is what I am trying to do. These are my points. The Round Table Conference must be convened ; but for what function ? It may be due to the official reticence of the spokesman in England or in India, but through whatever reason I am sorry that the function of the Round Table Conference has not been properly conceived and put forth before India, or before England for the matter of that, so far as I know. The function of the Round Table Conference ought to be to bring the best brains and hearts of England and India together in order that they may confer on the goal in all humility, in order that the diehardism of England may go and the distrust of India may disappear ; in order that the two countries may come together in close and brotherly relation ; in order to find out a scheme by which the soul of India may expand and develop and manifest itself to Britain, and through Britain to the rest of the world. I know we shall have to wait long until the time comes when the rest of the world will be able to take lessons, politically, socially, spiritually, from the great constitution, which will be India's constitution, perhaps a hundred years hence. Meantime in order that England may understand aright, in order that India may teach to England what the true soul of India is, this Round Table Conference must be convened, not for trifling details of places here and places there, or even provincial autonomy and things of that kind. Now, Sir, if this should be the true function of the Round Table Conference, Government should take all the care they can take to send to England those

who can speak to England aright on behalf of India, who can interpret the soul of India to England aright, and bring that kind of moral and spiritual pressure to bear upon the statesman in England as will help them to recognise the just claims of India. I want the best sons of India and of England to be brought together in order that, in the most friendly manner, without hitch, without strife, without struggle, through soul-force a constitution may be evolved which may be well worthy of England to give and well worthy of India to take. That is the great purpose we must set before the Round Table Conference. I do for this reason, for this dream if your please, support the offer of the Round Table Conference ; and I beg of all of you to unite in bringing to it Mahatma Gandhi and Motilalji and others who can speak freely, not stuntedly, for the purpose of securing for India her rightful place among the nations of the world. She was once the mistress of the world and in the distant future... (Laughter). You may laugh now as much as you like, but those who come to scoff will remain to pray in course of time. The conquest of the world by India's spirituality is what we should aspire for and towards that end we want an honourable political constitution, not for the sake of a few places anywhere for a few people. I repeat I want political autonomy, self-rule or Swaraj, or whatever else you may call it as a means towards a higher end ; for I, for one, believe there is a greater world-purpose to be served, namely, the conquest of the world by India's spirituality. That is the final goal—nothing more and nothing less. Therefore, I beg of every competent Mussalman friend and every competent Hindu friend to go to the Round Table Conference and place the very best that Muslim India and Hindu India has to place before the world, to convert England to the universal Dharmic creed of India, and bring about that consummation of joint effort towards world-harmony which we all so earnestly desire. Sir, subject to the suggestions I have made, I support the original motion.

Dr. Ziauddin Ahmad : I want to place before the House a correction of fact....

Mr. President : Under what rule ?

Dr. Ziauddin Ahmad : On a point of personal explanation, Sir.

Mr. President : That is not a point of personal explanation.

Mr. Muhammad Yamin Khan (United Provinces : Nominated Non-Official) : The question before us is at present whether the recommendations contained in Volume II of the Report of the Indian Statutory Commission are satisfactory and adequate or not, and that is the only point with which we can deal at present. Of course, my friend, the Honourable the Mover, of the cut recognises indirectly that the suggestions, recommendations and findings in the first volume of the Report are satisfactory, and whatever is found in Volume I is really satisfactory to him and he does not challenge it at all. As far as I have heard the debate that has gone on in this House, I have not heard any individual Member challenging the survey contained in the first volume of the Report. Now, the only point of difference is whether on the basis of those things which the Commission have written in their first volume the recommendations contained in the second volume are really satisfactory or not. Anyone who reads the first volume will appreciate that the grasp of many facts which the Simon

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Commission showed was really creditable, and they came to many correct conclusions and arrived at many correct findings about the situation which was existing in India at that time. There have been certain changes since then on many things. Now if a great portion of the considerable matter which is contained in the first volume is put up before anyone now, he may now make certain suggestions and recommendations probably different from those that the Simon Commission have made. The attempt in the second volume seems to be the result of three parties differing in their recommendations. Probably the Labour Members were thinking of making different recommendations to what the Conservative Members were thinking of making and the Liberal Members were trying to make up their mind as to the recommendations ; and the result was that a kind of compromise was arrived at between the three groups, which has left practically no idea of any party or of any sect, and therefore the findings at which they have arrived and the recommendations which they have formulated fall short of everybody's expectations. (Hear, hear.) Their attempt has been to win over everybody's heart, but a man who tries to win over everybody's heart certainly fails in his attempt altogether. Now we cannot say that their recommendations are altogether satisfactory or altogether unacceptable. There may be certain recommendations which may be acceptable to somebody, while there may be other recommendations which may not be acceptable to that very person, and for the other party there may be other matters which may not be as acceptable to them as those which have been acceptable to the first few.

Mr. M. A. Jinnah : What do you accept ?

Mr. Muhammad Yamin Khan : I accept certain portions, as probably you may have read from the Report regarding the All-Muslim Parties' recommendation.

An Honourable Member : They do not accept anything ?

Mr. M. A. Jinnah : What do you accept, can you tell us ?

Mr. Muhammad Yamin Khan : I hope my Honourable friend, who is a senior Member of the House, will not try to interrupt me like this.

Mr. M. A. Jinnah : I was only trying to seek the information, what part do you accept ?

Mr. Muhammad Yamin Khan : If my friend will have patience, as I have patience when he is speaking, probably he will come to know. There are many matters. I would like to mention here that one of my Honourable friend's demands was for the federal system of Government in the centre. Of course that principle has been accepted, though not to the extent my friend wanted, but they have laid down the seed, and they want to build up a constitution according to that scheme. That may be a contestable point, but the principle is there, the constitution they have laid down is there, and the principle they have accepted is acceptable to me as well as to my friend, Mr. Jinnah.

Mr. M. A. Jinnah : I do not agree with that at all, Sir.

Mr. Muhammad Yamin Khan : That is very unfortunate. Then, Sir, another point which was acceptable to my friend, Mr. Jinnah, was the separate representation of the minorities or of the Mussalmans at least, and that has been accepted.

Mr. M. A. Jinnah : Not as I wanted.

Mr. Muhammad Yamin Khan : So, Sir, that point has been acceded. (*Honourable Members :* " Question "). As long as that principle exists there, nobody can contest that they have not conceded the principle which had been asked for. (Laughter.) There may be other points which are not acceptable to him and to me and to everybody else. First of all, Sir, to me coming from the United Provinces, I know that my province laid great stress upon a second Chamber and they wanted that there should be a second Chamber for the Provincial Legislature. Now the Simon Commission have not accepted it, although they recognize that there ought to be one, but they leave it for the future. I submit we cannot accept their recommendations, and the second Chamber is essential for a Legislature like that of the United Provinces. The scheme for that Chamber was not put forward merely by the Government, but was accepted by all the parties concerned in the provinces. The Committee from the Provincial Legislature, which sat with the Simon Commission to help them, recommended that there ought to be a second Chamber, and they have conceded this point, and they say, " The United Provinces of Agra and Oudh demand a second Chamber and we recognize the necessity of a second Chamber, but we are not ready to accede to this request at present ". The material point in the first volume contained, I must point out, another point which they did not bring out in their second volume, *viz.*, in the first volume they say that the zemindars and taluqdars are the natural leaders of the masses, that the opinion of the former has got a great weight in the province and they have got great influence and the masses follow them as their natural leaders, but, still, Sir, when the question comes up in the second volume as to whether zemindars and taluqdars should have separate seats allotted to them, they do not see the necessity for that, and this conclusion cannot be accepted by the zemindars and taluqdars and other people who have got vested interests in the country. I do not see why the Simon Commission laid so great stress upon the interests of the commercial classes being represented in the Legislatures. We have got so many different people who come here to represent the interests of commerce only. The European Group is mostly concerned with the commercial community. They have got no other interest except commerce. There are many other people from Bombay, Calcutta and other places who come here to represent commercial interests, but why, Sir, when it is recognized that, since these classes who have got vested interests in the country, must be given separate representation, the same consideration is not shown to the zemindars and taluqdars who have got much larger vested interests than the commercial classes. A commercial man may be carrying on his commerce today in the country and may wind up his business tomorrow and leave the country, but the zemindar, who owns big areas of land, cannot leave the country which is his home in a similar fashion. Moreover, when it has been recognized that he is the natural leader, I do not see why he is not given the same right as is given to the commercial community. Here, Sir, the Simon Commission I think have failed in their recommendation. By the recommendations contained in the second volume of their Report they are running counter to their own arguments contained in their first volume.

There is, Sir, another point. Although they recognize about the frontier that the North-West Frontier Province has got people who are

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as intelligent as the other people in India, and they recognize and adduce arguments by reading which in their first volume one would come to the conclusion that they—at any rate I would have thought so—were going to recommend full autonomy for the North-West Frontier Province, yet, by adducing different reasoning in the second volume, they absolutely contradict their own arguments contained in their first volume on this point. And then they say that the people who are living in a powder magazine cannot light matches for lighting their cigarettes. That is an absolutely unsound reasoning and cannot be supported by any facts and figures. The one great objection which could have been taken was on the financial question. They recognise that, for internal purposes and for the administration of the province, the revenue of the province would suffice. It will fall short by a very small sum which can be given by the Central Government. The only expenditure which is beyond the revenues of the North-West Frontier Province is for the Imperial purposes for which the North-West Frontier Province can have no responsibility at all. That expenditure should be met from the Central revenues. While recognising all these factors, they come to propose a constitution for the North-West Frontier Province which, of course, cannot be accepted by that province, and it cannot, I think, be accepted by India as a whole. This House has laid great stress and has passed unanimously a Resolution demanding the same constitution for the North-West Frontier Province as is given to the other provinces in India. That Resolution was even supported by the late Lala Lajpat Rai and it had this great force, that the whole political India and the people of the North-West Frontier Province are unanimous in demanding a constitution similar to other provinces which is denied by the Simon Commission. That was the basis of one of the great demands of the Mussalmans, because when the Mussalmans thought about the federal system, the great factor was the creation of certain autonomous provinces, on which Muslim India could rely. But the system which they have evolved in the federation, although it will be improved upon in the future, is so dark, that nobody can predict when it will mature and when this federation will come into shape, as was demanded by my friend, Mr. Jinnah.

There is, Sir, another point which cannot be accepted by many people in India, and that is a new device of proportionate representation in the federal system which they have laid down. That is bound to create the same friction in the minds of the Mussalmans and the Hindus and will also create disturbances for which they have been trying to seek a remedy. They recognise the necessity of separate representation in the Central Legislature but it is a fallacious argument when they say that the Mussalmans should have a proportionate representation in the Central Legislature, but at the same time they devise means whereby only a Mussalman in the Provincial Legislature will vote for a Mussalman and a Hindu for a Hindu and a member of the depressed classes for a member of the depressed classes. When they recognise this principle, then there ought to be a separate election and, in fact, there will be a separate election of these people. I do not see why these differences have been created and dragged into the Provincial Councils for the election of the Members in the Federal Assembly when people in the Provincial Councils can live very peacefully after they have sought their election from their constituencies. This is a seed which will bring about conflict of opinion and

conflict of interests and many people will be dragged into some kind of controversy, which will not be desirable or healthy in the Provincial Legislatures. I would have said nothing had there been a finding that there should be no communal representation in the Central Legislature. That would have been a very strong argument in favour of them. But, on the contrary, they have said that there ought to be a sufficient representation of the Mussalmans in the country. They do recognise that, in the Federal Assembly, the Mussalmans must be sufficiently represented, and they have devised the means by which they should come in through the Provincial Councils. This is creating bad blood in the provinces, where the Mussalmans and Hindus are working side by side in great co-operation with each other. I think my province has been one of those provinces which has set up the noble example of how the Hindus and the Mussalmans can work in the Provincial Council harmoniously and in collaboration with each other. That fact could have been seen from even the Report of the Provincial Committee, which was unanimous. Even the Hindu members have supported the demands of the Mussalmans. In fact, they have come to a unanimous conclusion on this question.

Mr. President : What about Mr. Khan's minute of dissent ?

Mr. Muhammad Yamin Khan : His note refers to certain points which were not the common concern of both communities. On the general question, however, the Muslim members and the Hindu members came to the same conclusion, except on a few points. So, I do not think this device will create a healthy influence. I do not like the scheme whereby a Mussalman candidate runs only after the Mussalman members, a Hindu member only after the Hindu members and a depressed class member only after the depressed class members. I fail to see the efficacy of this system when the depressed class representative in the Provincial Legislature comes by the vote of the depressed class men as well as of the caste Hindus. It will be creating very bad blood when a depressed class man will seek his vote only from the depressed class members of the Provincial Legislature. I think that device will be more harmful than the system of separate representation given to the constituencies. They have so much magnified this question of proportionate representation in the Provincial Legislatures that it will spoil absolutely the harmony which exists at the present moment in the provinces, and I think nobody can accept this principle. By this device I am sure the results which they have anticipated will never be achieved. I challenge anybody who maintains that it will be possible to achieve the results which the Simon Commission have contemplated. There is one great drawback in this proportionate representation from the Provincial Councils, and it is this. They presume that there will be only so many candidates standing from one community as will be covered by their proportionate representation. Supposing in one Provincial Legislature there are only ten Mussalman members and the first five votes can be given to one Muslim candidate and the second five votes to the other. This can be done only when there are two Muslim candidates. But if there are three candidates, none of them will be elected. So, I do not think this device will be a great boon for the minority communities. One factor that has been recognised by the Simon Commission, for which I give them great credit, is that the problem of India is the problem of minorities. If the problem of minorities is settled, then the question of India's future is settled. India can never be bright unless the minorities in all the provinces, whoever they may be, whether they are Muslims, Hindus or Sikhs, feel security at the hands of the majority. They

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must feel that their rights will not be trampled down by any one community when they are in power and that they will receive the same consideration from the majority communities as they expect to be their due share. If any community has any suspicion in its mind that it will not be treated properly in future, then it can never agree. Then there must be a third party coming up to decide between them. As long as the majority community in every province does not come to understand that they will have to deal with the minorities in such a way that the minorities may feel security at their hands, and as long as the majority communities do not accede to the demands which the minority communities are putting forward, so long will India never improve and will never be able to achieve what it is aiming at. There are all these intricate problems.

Mr. President : How long does the Honourable Member wish to speak?

Mr. Muhammad Yamin Khan : About half an hour, Sir.

Mr. President : The House stands adjourned till eleven o'clock tomorrow morning.

The Assembly then adjourned till Eleven of the Clock on Friday, the 11th July, 1930.