

# LEGISLATIVE ASSEMBLY DEBATES

---

THURSDAY, 5th FEBRUARY, 1931

Vol. I—No. 15

---

## OFFICIAL REPORT



### CONTENTS.

---

Questions and Answers.

Statement of Business.

Resolution *re* Policy of Repression—Discussion postponed  
*sine die.*

---

DELHI  
GOVERNMENT OF INDIA PRESS  
1931

*Price Five Annas.*

# LEGISLATIVE ASSEMBLY.

Thursday, 5th February, 1931.

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

## QUESTIONS AND ANSWERS.

### BROADCASTING STATIONS IN INDIA.

349 \***Mr. Gaya Prasad Singh:** (a) Is it a fact that new wireless stations are about to be erected at Delhi, Lucknow, Allahabad and Nagpur? If so, are they going to be short-wave or long-wave stations?

(b) How many broadcasting stations are at present working in India, and how many of these are Government, military or public stations?

(c) What is the total cost involved in operating Calcutta and Bombay stations; and what is the total receipt from licenses in India so far, and per year?

(d) What is the amount spent in Calcutta and Bombay on account of Indian and European programmes respectively?

(e) Will Government be pleased to state how much time is utilized for broadcasting European, Bengali and Hindi or Urdu programmes from Calcutta on an average per day?

(f) Will Government be pleased to state the number or proportion of licenses issued to Europeans and Indians in this country?

(g) Do Government propose to take steps to see that a Hindi or Urdu programme is also broadcasted every day in the same way as an English or Bengali programme?

**Mr. J. A. Shillidy:** (a) No.

(b) Four. The stations in Bombay and Calcutta are Government stations. The station in Madras belongs to the Corporation of Madras and the station in Lahore to the Radio Club.

(c) The attention of the Honourable Member is invited to the replies given by me on the 28th January, 1931, to part (a) of question No. 134 by Mr. K. C. Roy, and on the 2nd February, 1931, to question No. 269 by Lala Hari Raj Swarup.

The total receipts from license fees, of which 80 per cent. accrue to the Indian State Broadcasting Service and the balance to the Indian Posts and Telegraphs Department, are as follows:

	Rs.
1927 . . . . .	35,950
1928 . . . . .	59,340
1929 . . . . .	77,710
1930 . . . . .	76,960

(d) The expenditure incurred in the Calcutta station during the eight months April to November 1930 is as follows:

	Rs.
Indian programmes . . . . .	16,000
European „ . . . . .	9,000

Similar information is not available in regard to the Bombay station.

(e) The average time allotted monthly (28 days) to Indian programmes is 127 hours and to European programmes is 65 hours.

Detailed information is not available about the time allotted for the broadcast of European, Bengali, Hindi or Urdu programmes.

(f) It is not possible to state accurately the number or proportion of licenses issued to Europeans and Indians, as no record is maintained of the nationality of the license holders; but judging from the list of names of licensees, roughly 16 per cent. are Europeans.

(g) The suggestion will be communicated to the Director, Calcutta Station.

**Mr. S. C. Shahani:** Can a new wireless station be erected also at Karachi?

(No answer was given.)

#### APPOINTMENT OF SIKHS IN THE MILITARY ACCOUNTANT GENERAL'S OFFICE.

350. **\*Sirdar Harbans Singh:** (a) Will Government please refer to their reply to unstarred question No. 215 in the Legislative Assembly on the 4th September, 1928, and state how many Sikhs have been recruited in the Military Accountant General's office in the accountants and clerks grades respectively, since that time?

(b) What are the reasons for not giving the Sikhs their proper share on the staff of the Military Accountant General's Office?

**The Honourable Sir George Schuster:** (a) Since September 1928 the number of Sikhs appointed to the Military Accountant General's Office is:

Accountants' Grade . . . . .	Nil.
Clerks' Grade . . . . .	3

(b) Except a few appointments in the Routine Grade of the office of the Military Accountant General, which are made by the Public Service Commission, the accountants and clerks in that office are selected from amongst those recommended by the several Controllers of Military Accounts, and the Sikhs have equal chances with members of other communities for selection for transfer to that office.

#### APPOINTMENT OF A SIKH AS ASSISTANT METEOROLOGIST.

351. **\*Sirdar Harbans Singh:** (a) Is it a fact that since the answer to question No. 414, dated the 11th September, 1928, was given, many appointments on the cadre of Assistant Meteorologist have been made?

(b) If so, how many Sikh applicants have there been on each occasion and why has no Sikh been appointed so far in this Department to redress their communal inequality?

(c) Do Government propose to reserve the next vacancy exclusively for a Sikh in order to give representation to this community in this service? If not, why not?

**Mr. J. A. Shillidy:** The information has been called for.

# APPOINTMENT OF SIKHS IN THE INDIAN CIVIL SERVICE.

**352. \*Sirdar Harbans Singh:** (a) How many appointments were reserved for nomination to the I.C.S. in 1930 for redressing the communal inequalities?

(b) Why were all the appointments so reserved filled up from men belonging to only one minority community?

(c) Is it a fact that there is a very negligible number of Sikh I.C.S. officers and none of the Sikhs was appointed last year?

(d) If the reply to (c) be in the affirmative, are Government prepared to reserve at least half of the appointments to be made by nomination this year (1931) for Sikhs?

**The Honourable Sir James Crerar:** (a) Six.

(b) Under rule 8 of the Indian Civil Service (Nomination) Rules, candidates for nomination are selected primarily from among those who sat at the competitive examination in India and in making such selection, their places on the list are naturally considered. Muhammadan candidates did very well at the examination in 1930, and those selected from the results of the Indian examination occupied respectively, the 10th, 11th, 14th, 16th and 29th places on the list. There was only one representative of any other minority community, namely, an Indian Christian, whose place in the list justified consideration of his claims, but as two members of this community had already been successful in the open competition in London, the nomination of a third was clearly unnecessary for the redress of communal inequalities. I regret to say that it was not possible to select a Sikh owing to the low place gained by the highest Sikh candidate.

(c) Since 1926, when the policy of preventing the preponderance of any one class or community in the services was introduced, four Sikhs have been recruited to the service, two by competition and two by nomination.†

(d) The Honourable Member will no doubt realise that it is not possible for me to anticipate the results of the examination and to make any commitment in regard to nominations relating to any community, but I can assure him that if any Sikh candidate stands sufficiently high his claims will receive sympathetic consideration.

# TRANSFER TO THE OFFICE OF THE CONTROLLER OF RAILWAY ACCOUNTS OF WORK PREVIOUSLY DONE BY THE CASH BRANCH OF THE RAILWAY BOARD.

**353 \*Sirdar Harbans Singh:** (a) Is it a fact that there is no Muhammadan or Sikh in the Cash Branch of the Railway Board?

(b) Is it a fact that the work in connection with the preparation and disbursement of the salary and other allowance bills of the Officers and

---

† 1926, Shamsher Singh Dulat. 1928, Trilochan Das Bedi.

establishment of the Railway Board and various surplus establishment thereunder has been transferred to the Office of the Controller of Railway Accounts?

(c) Is it also a fact that the work so transferred had been done from the very beginning by those clerks only who had been for some reasons or other condemned for the Cash Branch?

(d) If the reply to (b) be in the affirmative, why was not the special pay of Rs. 50 p. m. for handling Government cash also transferred?

(e) Is it a fact that the Cashier of the Railway Board has himself never disbursed the pay of the staff, or ever made any bills of the subordinates or officers of that office?

(f) Is it a fact that a small allowance has been recently sanctioned as an allowance for the clerk of the Controller of the Railway Accounts and Government are thus incurring double expenditure in these days of financial stringency?

(g) What were the reasons for transferring the work of the Cash Branch of the Railway Board to the Accounts Office?

(h) Do Government consider the advisability of transferring this sort of work from every Government of India Office to that of their Accounts Office? If not, why has the Railway Board been allowed to do this?

**Mr. A. A. L. Parsons:** (a) The answer is in the negative.

(b) The answer is in the affirmative.

(c) No.

(d) The question of withdrawing or reducing the allowance given to the Cashier, Railway Board, is under consideration.

(e) The answer to both parts of the question is in the negative.

(f) A special pay of Rs. 15 per mensem has been given to one of the clerks of the Controller of Railway Accounts office.

(g) In order that the work may be more efficiently performed at less cost to the State.

(h) Circumstances of the Departments of the Government of India differ, and each case has to be considered on its own merits. The Railway Department alone has an Accounts Office in close contact with it all the year round.

**TRANSFER TO THE OFFICE OF THE CONTROLLER OF RAILWAY ACCOUNTS OF WORK PREVIOUSLY DONE BY THE CASH BRANCH OF THE RAILWAY BOARD.**

354. **\*Sirdar Harbans Singh:** (a) Is it a fact that as a result of the transfer of work from the Cash Branch of the Railway Board to the Office of the Controller of Railway Accounts, no reduction in the clerical strength of the Railway Board was considered necessary, whereas four extra clerks, with special pay to two of them, have been sanctioned for the Controller of Railway Accounts office?

(b) If the reply to above is in the affirmative, are Government prepared to re-transfer the same work to the Railway Board and reduce the staff increased in the Controller of Railway Accounts office thereby? If not, why not?

**Mr. A. A. L. Parsons:** (a) The answer is in the negative.

(b) Does not arise.

**EXTENSION OF SERVICE GRANTED TO THE CASHIER OF THE RAILWAY BOARD.**

355. **\*Sirdar Harbans Singh:** (a) Is it optional for Government servants not to retire at the age of 55? If so, under what rules?

(b) Is it essential that the extension of service beyond 55 years of age should be granted by the authority empowered to do so and cases for such extension should be submitted a year before any Government servant attains that age?

**The Honourable Sir George Schuster:** (a) I would refer the Honourable Member to rule 56 of the Fundamental Rules, a copy of which is in the Library of the House.

(b) A formal extension of service is essential in the case of a Government servant, other than a ministerial servant. It is not essential that proposals for extension should be submitted twelve months before the attainment of the age limit.

**CIVIL APPOINTMENTS IN THE INDIAN MEDICAL SERVICE.**

356. **\*Sirdar Harbans Singh:** (a) How many civil appointments for the Indian Medical Service are reserved for the British section of it?

(b) Does the reason given that British Officers' wives do not like to be treated by Indian I. M. S. doctors still hold good?

(c) Are Government aware that at many stations the Indian I. M. S. doctors are preferred by British officers' wives to British I. M. S. doctors of higher rank?

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** (a) The Honourable Member is referred to the annexures to the Government of India, Department of Education, Health and Lands Press Communiqué dated the 10th May, 1928, a copy of which has been placed in the Library of the House.

(b) These appointments were reserved in order to give practical effect to the recommendation of the Royal Commission on the Superior Civil Services in India that provision should be made for the maintenance of a sufficient number of British officers to provide adequately for medical attendance on the British members of the All-India services and their families.

(c) Government have no information.

**EQUALITY OF TREATMENT IN REGARD TO PASSAGES OF INDIAN AND BRITISH MEMBERS OF THE INDIAN MEDICAL SERVICE.**

357. **\*Sirdar Harbans Singh:** Are Government prepared to place on a par the Indian and British Members of the Indian Medical Service as regards free passages? If not, why not?

**Mr. G. M. Young:** If my Honourable friend is referring to leave passages to Europe, Government do not propose to place European and Indian Officers on exactly the same footing in this respect, for reasons

which, I think, hardly require elaboration, Indian officers of the Indian Medical Service are, however, eligible for free passages to and from Europe for study purposes.

# APPOINTMENTS IN THE OFFICE OF THE DEPUTY ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS, DELHI.

358. **\*Sirdar Harbans Singh:** (a) Is it a fact that, on the removal of Mr. Balmokand Tandan from the post of Supervisor, Record (D. A. G., P. & T. Office, Delhi), for the reasons best known to the then Accountant General, Posts and Telegraphs (Mr. A. C. Badenoch), orders were passed by that officer that no local man should be appointed on this post for the reason that they show too much favouritism towards their own men who are already in great preponderance, and thus the interests of the minority communities suffer at the time of recruitment, which is carried on otherwise than by competitive examinations, especially for the Lower Division, and sorters (without calling for applications through newspapers)? Is the present incumbent a local man, who was appointed and is still holding the above post in contravention of the above orders? If so, why?

(b) Will Government be pleased to state the reasons why the other senior clerks, who are not local men, have been superseded?

(c) Is it a fact that in the office of the D. A. G., P. & T., Calcutta, Record Superintendent is a member of the Subordinate Accounts Service staff? If so, why is the same rule not observed in Delhi (D. A. G., P. & T. Office)?

(d) Is it a fact that leave reserve staff in the Posts and Telegraphs Account Offices other than Delhi are attached to their respective Sections? If the reply be in the affirmative, will Government be pleased to state why extraordinary powers have been vested in the Supervisor Record (D. A. G., P. & T. Office, Delhi) by placing leave reserve staff at his disposal?

**The Honourable Sir George Schuster:** With your permission. Sir, I will deal with questions Nos. 358 to 361 together.

Enquiry is being made and a reply will be sent to the Honourable Member as soon as possible.

# DISTRIBUTION OF WORK IN THE OFFICE OF THE DEPUTY ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS, DELHI.

†359. **\*Sirdar Harbans Singh:** (a) Is it not a fact that in the Money Order Section in the office of Deputy Accountant General, Posts and Telegraphs, Delhi, Upper and Lower Division men are given sorters' work and *vice versa*? If so, will Government please state why the orders of the Accountant General, Posts and Telegraphs regarding "Classification of Work" are not attended to?

(b) Is it not a fact that Messrs. Mohammad Ali and Lachhmi Narain of the Lower Division (D. A. G., P. & T. Office, Delhi) have been employed in sorters' work since November, 1930? If so, under whose orders?

---

† For answer to this question, see answer to starred question No. 358.

(c) Is it not a fact that in the Debit-Check Section of the Money Order Department, in the office of the D. A. G., P. & T., Delhi, the staff has been sanctioned on the prescribed rate basis, i.e., 1,800 items (current) and 1,300 items (previous) respectively? Will Government please state whether the poor examiners are forced by the Superintendent-in-Charge to give at 2,800 (current) and 2,100 (previous) items respectively and if so, why this extraordinary power to increase the prescribed rate has been vested in the Superintendent-in-Charge?

#### APPOINTMENT OF SIKHS IN POSTS AND TELEGRAPHS ACCOUNT OFFICES.

†360. **\*Sirdar Harbans Singh:** (a) Will Government be pleased to place on the table the communal permanent and temporary strength of each of the Posts and Telegraphs Account Offices in their respective "A", "B" and "C" Classes?

(b) Is it a fact that the Sikhs are the least represented in all the three "A", "B" and "C" Classes in the Posts and Telegraphs Account Offices? If so, will Government be pleased to state what special action has so far been taken and what action they propose to take in future to redress this inequality?

#### COMMUNAL HOLIDAYS OF MINORITY COMMUNITIES.

†361. **\*Sirdar Harbans Singh:** Is it a fact that some orders were passed by the Accountant General, Posts and Telegraphs, that no concession or holiday be granted on a communal basis for which no notification has been made by the Local Government? If so, do the local Hindus, Bengalis and Madrassis enjoy extra concessions or holidays, and the Sikhs and the Jains are deprived of the same privileges? If so, why? Why is such treatment accorded to members of the minority communities?

#### OPENING OF A TELEGRAPH OFFICE AT THE VILLAGE OF BAGHI.

362. **\*Mr. Bhuput Sing:** Will Government be pleased to state the reason or reasons for which a telegraph office at village Baghi, in the district of Muzaffarpur in Bihar Province, has not yet been opened, although the necessary indemnity bond for the opening thereof was executed a year ago by Rai Bahadur Shyam Nandan Sahaya, M.L.C., in compliance with the requisition of the local authorities?

**Mr. H. A. Sams:** The indemnity bond executed by Rai Bahadur Shyam Nandan Sahaya, M.L.C., was not in order and he was asked on the 14th January, 1931, to execute a fresh bond. When this has been done, the Postmaster-General of Bihar and Orissa Circle will proceed further in the matter.

#### RECOMMENDATIONS MADE BY THE ORISSA FLOOD INQUIRY COMMITTEE.

363. **\*Mr. Bhuput Sing:** Will Government be pleased to state:

- (a) the recommendations that were made by the Orissa Flood Committee appointed by the Government of India in 1928;
- (b) whether those recommendations have been considered and given effect to; and
- (c) If not given effect to, the reason or reasons for which they have not yet been brought into operation?

---

† For answer to this question, see answer to starred question No. 358.



**Mr. J. A. Shillidy:** (a) A summary of the main recommendations of the Orissa Flood Committee is given in Chapter XVI of its Report, copies of which were placed in the Library in September, 1929. The Committee was appointed by the Government of Bihar and Orissa and not by the Government of India, as assumed by the Honourable Member.

(b) It is for the Local Government to decide what action should be taken on the recommendations of the Committee. The Government of India have no information whether the recommendations have been given effect to.

(c) Does not arise.

#### SUPPLY TO MEMBERS OF THE LEGISLATIVE ASSEMBLY OF COPIES OF DEBATES IN THEIR LOCAL COUNCILS.

364. **\*Mr. S. O. Mitra:** (a) Are Government aware that Members of the Central Legislature are provided with the Debates of their respective local Councils in some of the provinces, *e.g.*, Assam, Central Provinces, the Punjab and Bihar and Orissa, etc., while in some other provinces like Bengal they are not so provided?

(b) Are Government aware that Members do sometimes require the use of the Debates of their local Councils in the discharge of their duties as Members?

(c) Are Government prepared to take steps to see that Members are provided, free of cost, with Debates of their local Councils?

**The Honourable Sir George Rainy:** (a) Government have no information on the subject.

(b) Members no doubt do sometimes desire to refer to the Debates in the Provincial Councils, and for this reason a set of the Proceedings of all Provincial Councils is available in the Library of the Central Legislature.

(c) A copy of the Honourable Member's question and of this reply will be brought to the notice of all Local Governments for such action as they may desire to take.

#### DESECRATION OF A TEMPLE BY GURKHA SOLDIERS.

365. **\*Lala Hari Raj Swarup:** Will Government be pleased to state:

- (a) whether their attention has been drawn to the desecration of the Arya Samaj Mandir (temple) at Bahadradab in the district of Saharanpur, United Provinces, by a detachment of Gurkha Rifles headed by Captain Gough in November last;
- (b) whether there have been outrages upon some of the office bearers and inmates of the said temple by the soldiers;
- (c) whether the sacred flag of "OM" was torn to pieces and the Arya Samaj record set fire to;
- (d) whether there has been considerable feeling over the matter since; and
- (e) what steps the Government of the United Provinces or the Government of India have since taken in the matter?

**Mr. G. M. Young:** (a), (b) and (c). Government have seen newspaper reports and have received numerous resolutions from Arya Samajes on the subject of the incident. The military authorities have also received reports from the Officer Commanding the Battalion and the Brigade Commander. From the latter reports it appears that there is no truth whatever in the allegations that a temple was desecrated, that a sacred flag was torn to pieces, and that the Arya Samaj records were set on fire. The troops did not even enter any temple or similar building at Bahadrad, and they did not tear to pieces any sacred flag, or set fire to anything. I may perhaps be permitted to add that, apart from these reports, it is in the highest degree improbable that Gurkha soldiers, who are themselves Hindus, would have committed any of the acts alleged. It is, however, reported that two persons, said to be office bearers of local Arya Samajes, who had behaved in an insulting manner to the Officer Commanding the detachment, were subsequently, and without his knowledge, roughly handled and subjected to considerable indignities by some of the soldiers.

(d) No report was made to the police, and the incident does not appear to have aroused much excitement locally; but, as I have said above, numerous representations have been received from various Arya Samajes in different parts of the country.

(e) The Officer Commanding the battalion reports that he has taken disciplinary action. Inquiries are being made with a view to ascertaining whether that action was adequate or not.

#### DESECRATION OF A TEMPLE BY GURKHA SOLDIERS.

366. **\*Mr. Amar Nath Dutt:** (a) Has the attention of Government been drawn to a report of a meeting published in the *Hindustan Times* of the 22nd January, 1931, in page 6, condemning the sacrilegious action of a detachment of Gurkha Rifles?

(b) If so, will Government be pleased to state whether the facts stated in the resolution of the meeting are correct?

(c) If the alleged acts of desecration are true, will Government be pleased to state, what action, if any, has been taken by Government in the matter?

**Mr. G. M. Young:** The Honourable Member is referred to the reply I have just given to starred question No. 365.

---

#### STATEMENT OF BUSINESS.

**The Honourable Sir George Rainy** (Leader of the House): Sir, with your permission, I desire to make a statement as to the probable course of Government business in the week beginning Monday, the 9th February. Honourable Members are aware that the coming week is the week which has been appointed for the celebrations in connection with the inauguration of New Delhi. To some extent these celebrations will interfere with our deliberations, but I trust that Members will not have any ground for complaint. Tuesday, February 10th, which was allotted by the Governor General for non-official business, is the day on which two ceremonies are

appointed—the opening of the Dominion Columns at 11 A. M. and the Viceregal Garden Party at 4-30 P.M. The day has moreover been declared locally to be a public holiday. That being so, it appears desirable that the Assembly should not sit on that day. Government trust that they will be meeting the wishes of the Assembly by giving up Monday, February the 9th, for the transaction of the business (non-official Bills) at present due to be put down for Tuesday, February 10th. If that meets the wishes of the House, there will be no sitting on Tuesday, February the 10th. On Wednesday a motion will be made for the election of Members to the Court of the Delhi University. Thereafter Government will place the Report of the Public Accounts Committee before the House with a motion that the Report be taken into consideration, and a debate will take place thereon. Thursday, the 12th, is the non-official day appointed for Resolutions. As at present arranged, there will be no sitting of this House on Friday, the 13th and Saturday, the 14th.

### RESOLUTION RE POLICY OF REPRESSION.

**Mr. President:** The House will now resume further discussion of the Resolution\* moved by Shaikh Sadiq Hasan on the 29th January 1931. Honourable Members will have noticed that notices of several amendments have been received, and I propose to follow the following procedure. As Seth Haji Abdoola Haroon's and Nawab Naharsingji Ishwar-singji's and Nawab Malik Talib Mehdi Khan's amendments are more comprehensive than others, I will call upon one of them to move this amendment. After that amendment is moved, I will call upon Mr. Amar Nath Dutt to move his amendment. All the other amendments will practically be covered by these two amendments. After they have been debated along with the original Resolution the subject will be put to the vote in the manner most convenient to the House.

**Sardar Sant Singh** (West Punjab: Sikh): I rise to a point of order, Sir. The original Resolution came up for discussion on the 29th January last and was postponed to this day. These amendments should have been placed before the House two days earlier. They were not so placed. From the dates given on the paper, I find that notices of these amendments were received on the 4th February, 1931, at 2-55 P. M. and 3-36 P. M. Now notices of these amendments, even if they were admissible after the original motion had been discussed in this House, should have been sent two days before today's discussion. So, I submit, Sir, these amendments are not in order.

**Mr. President:** The Honourable Member knows that in every case, whether a Resolution is on the agenda paper or has been previously moved, two days' notice is required for every amendment. Therefore the point taken as regards the amendments to this Resolution on the ground that the latter has been partly discussed before does not hold. The main question remains, whether amendments of which shorter notice than two days has been given should be allowed to be discussed. In regard to

\* "This Assembly recommends to the Governor General in Council the immediate discontinuance of the present policy of repression pursued by the Government, and the adoption of a sympathetic and conciliatory policy."

that point I should like to draw the attention of the Honourable Member to the fact that discretion is vested in the Chair to allow amendments even while the discussion on a motion is proceeding. I have given the best consideration to the subject and I know there is a considerable amount of feeling on the issue raised in this Resolution. As the Honourable non-official Members get very few opportunities of discussing such important subjects in which the general public takes a very keen interest, I have decided to allow these amendments on the ground that it will make the discussion a comprehensive one and will give Honourable Members full scope of discussion. I have therefore decided to allow these amendments to be moved.

**\*Seth Haji Abdoola Haroon** (Sind: Muhammadan Rural): Sir, I beg to move the following amendment to the Resolution moved by Shaikh Sadiq Hasan:

■ “(i) That the words “the immediate discontinuance of the present policy of repression pursued by the Government and” be deleted; and

(ii) That at the end of the Resolution the following be added :

‘and that as soon as he is satisfied regarding the discontinuance of the activities of the Civil Disobedience Movement, he should forthwith take action to secure the release of persons convicted of, or on trial for, offences not involving violence in connection with the Civil Disobedience Movement and the withdrawal of notification under the Criminal Law Amendment Act and of Ordinances directed against the movement.’”

Sir, if you read through the Resolution of my friend, you will find that only some sort of sentiment is expressed in that Resolution, *viz.*, that it recommends to the Governor General in Council “the immediate discontinuance of the present policy of repression pursued by the Government and the adoption of a sympathetic and conciliatory policy”. Sir, in my opinion this House should see to both the sides, namely, the Government and the Congress. Therefore, I have moved this amendment to the Resolution. Sir, rightly or wrongly, Mahatma Gandhi and other Congress leaders declined the opportunities afforded to them for participating in the Round Table Conference and persisted in launching the campaign of civil disobedience, forced picketing, raids on salt depots, refusal to pay taxes and defiance of laws, all of which have disturbed the country; and the Government on their part have not been wanting in zeal or vindictiveness in dealing with the situation, in that they have established, within so short a period, an unbeatable record of repression, and have promulgated so many Ordinances and special laws as no other country in the world at any time ever did. Sir, both the Congress and the Government have made a trial of their respective strengths, with disastrous economic results to the country, and it is high time for both to cry a halt to their suicidal policies, and sit down to engage in some constructive work to find out how best they could get the country out of the ruin into which it has been allowed to drift. Now that the first stage of the Round Table Conference is over, and although I am not one of those who believe that it has achieved everything for which India stands, and although I much regret that, in spite of their best efforts, the communal problem still remains where it was, yet I believe the results of their labours deserve the most careful consideration by the people of this country, especially of

---

\*Speech not revised by the Honourable Member.

[Seth Haji Abdoola Haroon.]

those who have chosen to keep out of the Conference. It is therefore essential that both the parties should carry on their deliberations in an atmosphere of mutual goodwill and trust and confidence, which are so vitally necessary for the dispassionate consideration of the various problems, including the communal problem also. H. E. the Viceroy's speech, Sir, as well as the Premier's declaration, although they chiefly contain vague generalities, and the subsequent action of the Government in releasing the members of the Working Committee of the Congress, have afforded some proof of the earnestness on the part of the Government to come to grips with the realities of the situation. The Congress on its part also has not been slow in responding to the gesture of peace, in that it has declared its willingness to co-operate with the Government, although with certain reservations. It is now the turn of the Government to take another step forward and carry their spirit of conciliation to its full measure by releasing all political prisoners who are not guilty of violence, and by the withdrawal of all prosecutions pending at present under the various Ordinances and the notorious section of the Criminal Amendment Act, and by the recognition of the rights of the people of assembly and speech. If Government were to do this, I am sure the Congress will not shrink from its duty and will offer its fullest co-operation to the solution of the complicated political problems of this country. Sir, the primary end of any civilized Government should be to look to the best welfare of its subjects at any sacrifice. I therefore appeal to the Government to approach the problem from a statesman-like point of view. I would also remind the Government of the desirability of releasing all political prisoners in the North West Frontier Province, and also those interned under the Frontier Regulation. Sir, the North-West Frontier Province is the one that has suffered the most under the repressive regime of the Government; not only that, there has been discrimination against them, and I find that that province has been treated more badly than the other provinces. I want to draw the attention of the Government to this, that although on account of ill-health many prisoners have been released in other provinces, not a single person has been on that ground released in the North-West Frontier Province. Let it not be thought that the people who are in jail in the North-West Frontier Province never fall ill; many have fallen ill, but I will refer to one instance which I have seen mentioned in some vernacular paper of a man who had been convicted in some jail in the Punjab. And if I have not forgotten, they have also released Lala Duni Chand. He said that a man from the North-West Frontier Province, who was convicted about eight months ago, remained in the civil hospital for no less than six months, and yet he has not been released. Besides this, Sir, I also want to draw the attention of the Government to the fact that they have lately released all the members of the Congress Working Committee, whereas they have not considered the question of release of Abdul Ghaffar Khan, a prominent leader of the North-West Frontier Province and his co-workers, although I know that on some technical point, such as that he was not a Member of the Congress Working Committee, he was not released. But my reason for asking for the release of Abdul Ghaffar Khan is this. There is already the instance of the Secretary or friend of Mahatma Gandhi who, although he was not a member of the Congress Working Committee, was yet released. I am not against his release; on the other

hand I am in favour of his release. But what I want to draw the attention of the Government to is, that they are treating the North-West Frontier Province rather harshly and they are meting out separate treatment for this province. I earnestly hope that when the time comes for the release of political prisoners, the Government will not forget the just claims of the prisoners in the North-West Frontier Province for their release.

The other day, my Honourable friend Dr. Ziauddin Ahmad asked the Government whether there was any instance where martial law had been in force as long as it had been in force in the North-West Frontier Province. The Government was pleased to cite the instance of Malabar at the time of the Moplah rising. But there was the instance of Sholapur where, within a month or forty days after the martial law was proclaimed, it was withdrawn. Why? Because of the intensive agitation that was carried on in Sholapur, the martial law was immediately withdrawn. Whereas in the North-West Frontier Province, the martial law remained in force for no less than 5½ months or six months, because the Mussalmans, out of respect for Government and out of a desire to help the Government, did not carry on any agitation against the continuance of the martial law.

**Maulvi Muhammad Yakub:** That is their fault and they are suffering for their folly.

**Seth Haji Abdoola Haroon:** Yes, they are suffering for their folly, but I think, Sir, the time has come when the Mussalmans have to consider their position in the country. The time has come when the Mussalmans have to decide that they should not rely on the Government or anybody else, but stand on their own legs. I want to say to my Mussalman friends here and outside this Chamber that they should not lag behind their countrymen, that they should go forward and take a full share of the responsibility on their shoulders for the advancement of the country, for the advancement of India. (Hear, hear.)

I also want to draw the attention of the Government to the hardships of the Moplah prisoners who have suffered under the martial law regime.

**Mr. K. Ahmed** (Rajshahi Division: Muhammadan Rural): You mean more than 100 were shut up in a railway luggage van and on the way between Bellary and Podanur lost their lives owing to suffocation.

**Seth Haji Abdoola Haroon:** I am referring to those who have been sent to the Andamans. The Government should also consider the question of their release. When the Government decide to release all political prisoners, they should also release the Moplahs who are at present undergoing imprisonment in the Andamans.

In conclusion I wish to sound a note of warning both to the Government and to the Congress that if they do not take advantage of the present golden opportunity for restoring peace in the country by meeting each other half way, if the Government should persist in their present policy of ruthless repression on the one hand, and if the Congress should continue its defiance of law on the other hand, the time is not far off when the situation may get entirely out of control and it may then be too late for either party to save India, if there will be anything left at all then to be saved.

[Seth Haji Abdoola Haroon.]

With these remarks, I am moving my amendment and I hope the House will consider the same properly.

**Mr. Amar Nath Dutt** (Burdwan Division: Non-Muhammadan Rural): Sir, I would have been very glad if I could see my way to support the amendment that has just now been moved, but after listening very carefully to the speaker who has preceded me, I do not find any reason why I should not move my amendment. On the other hand, after listening to him, it appeared to me that it was imperative that I should move the amendment which I have tabled and which you have been so kind as to allow me to move. My amendment runs thus:

"That at the end of the Resolution the following be added:

'by withdrawal of all Ordinances and repressive laws as also granting general amnesty to all political prisoners'."

Sir, it may be said that the original Resolution is comprehensive enough and that it includes all these matters. But, Sir, knowing as we do, the ways of the Government, how they interpret our statements, how they interpret our recommendations, I have been obliged, as far as possible to lay down the direction in which we want the repressive policy to be discontinued. I wish to point out the direction, in which the Government should act, and in view of that, I have tabled the amendment which I hope the House will accept. Following the statement of the Premier, His Excellency the Viceroy was pleased to make a declaration in pursuance of a sincere desire to assist the creation of such peaceable conditions as would enable the Government to implement the undertaking given by the Prime Minister. Sir, the statement no doubt contains very fine sentiments worthy of a civilised Government; but what do we find in practice? We doubt not the sincerity of the Prime Minister, nor do we doubt the sincerity of the declarations of His Excellency the Viceroy. But I ask, are the conditions which now prevail in this unhappy land conducive to the peaceable conditions which His Excellency Lord Irwin desires? A careful student of present-day history will give an emphatic denial. For within 24 hours of the declaration of His Excellency, there were notifications in *Gazettes Extraordinary* in Bengal declaring several associations to be unlawful. The very day on which His Excellency's statement was published two *Gazettes Extraordinary* were issued, by which half a dozen associations were declared unlawful, along with the withdrawal of all restrictions upon the Congress Working Committee. Probably those in charge of the administration did not understand or did not realise the true import of His Excellency's declaration. Had they done so and had the Provincial Governments realised the sincere desire of His Excellency the Viceroy, they would not have hastened to issue such *Gazettes Extraordinary*, declaring these associations unlawful. Within a few days we find that in the second city of the British Empire, its first citizen was assaulted brutally by the police with *lathis*. The Mayor of Calcutta went out in a procession to celebrate the Independence Day. He was perfectly within his rights to go out in procession, but those who are in charge of keeping the law and order in the premier city of British India . . .

**Mr. Arthur Moore** (Bengal: European): Sir, may I ask if the Mayor of Calcutta has not taken the oath of allegiance?

**Mr. Amar Nath Dutt:** I am not concerned with any mere formal oath of allegiance. The foremost allegiance which a man owes is to his God and to his country. He might have taken the oath of allegiance, but thereby he did not forsake the allegiance which he owes to his God and to his country, just as Mr. Moore has not forsaken his allegiance to his God and his country by being "Statesman and Friend of India".

Sir, as I was submitting, the Mayor went out in a procession and a peaceful procession and I have not read a single line even in Mr. Moore's paper that the Mayor's conduct was disorderly or that there was a riot. In spite of that, the police came and made a *lathi* charge. This is a new weapon which has been forged during recent times for the suppression of all political freedom in this unhappy land. But I may remind the Government, one single *lathi* charge is a double nail in the coffin of your Empire in India. One *lathi* charge alienates at least 50 people from their so-called allegiance to which my friend over there just referred. What is the state of things in Bengal? On whose side does violence lie? Violence lies on your side. I was just reading in a newspaper about the number of deaths resulting from *lathi* charges and police excesses. There were 101 deaths from firing and *lathi* charges. And what is the number of deaths on the side of those who are supposed to be the keepers of law and order? Not more than half a dozen. I ask you therefore to consider on which side violence lies. Mahatma Gandhi's movement is pre-eminently a non-violent movement. But you who want to suppress it, you are violent, and by your violence you are alienating the sympathies of those who would be on the side of law and order. It is to the interest of the majority of Indians to see that law and order prevails in this land. I know that it may be to your interest to have law and order so long as your process of exploitation is safe; but I know that you would prefer disorder and lawlessness if you found that your process of exploitation was not safe. And therefore you come down upon these non-violent men, with *lathi* blows and assault them indiscriminately, resulting in their death. Not only that, as the irony of fate would have it you have a set of subordinate officers to administer the law, who would not even entertain complaints even in cases of death. It may be within the memory of every one that Ajit Bhattacharjya of Dacca died from the *lathi* blows of the police officers and his relatives could not get any remedy for this brutal murder in the British courts. Probably he is appearing before a higher tribunal where the judgment is not distributed according to the colour or complexion of the parties. But leaving aside these matters, I may point out to you that if you want to create a peaceful atmosphere for the discussion of the matters that are now engaging the attention both of the Government and the people of this country you ought to withdraw all repressive measures and those lawless ukases which are known by the name of Ordinances under the Government of India Act, but for which I have no other name to give but lawless laws, and no less than a dozen of them have been promulgated within the last few months. If you want to rule by Ordinances why not say so? Why try to keep up the appearance of justice and fair play?

**Mr. President:** Order, order. The Honourable Member's time is up. I will allow him a couple of minutes to conclude.

**Mr. Amar Nath Dutt:** Mahatma Gandhi has declared that even for creating the atmosphere suitable for a calm discussion, what is necessary is



[Mr. Amar Nath Dutt:]

the release of all Congress party prisoners—and I shall add all the political prisoners, both convicted and under trial, including the unhappy Meerut prisoners who have been rotting in jail for the last 22 months—the withdrawal of repressive Ordinances by which you have taken possession of the hearth and homes of the people of Midnapur, where the house of the President of the Bar Association has been confiscated because his sons were living there. If unfortunately one has a son who is more desirous of freedom than the father, then he cannot give him a shelter in his own house. It will be harbouring an offender. That is the interpretation which the Magistracy gives to the word “harbouring”. I do not think there is any man here whose blood will not boil when what is happening at Midnapur is brought to his notice. You have not only to withdraw those repressive measures but also restore the confiscated property because you have taken away the hearths and homes of the people of Midnapur. These are essential conditions on which Mahatma Gandhi insists. So in moving my amendment, I would insist upon you to see that all the under-trial prisoners as also those convicted—without making any distinction between those who are guilty of violence—are released and all these repressive Ordinances withdrawn and confiscated property restored.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain** (Member for Education, Health and Lands): Sir, I beg the indulgence of the House for intervening at this stage of the debate, not with a view to meet the charges as to whether the police in a particular place, in a particular province, acted harshly, or in excess of their duties, not with a view either to justify or to explain the conduct of the particular individuals in particular incidents, because I consider such matters are matters of detail with which I have not the slightest doubt the local Legislatures in the country are competent to deal, but to state what I venture to think is a matter of supreme importance. We here, Sir, are concerned with matters of general principles, matters of policy, matters which affect the welfare of India as a whole, and not to go into minor details, however important they may be, in view of the fact that these important matters of detail are within the jurisdiction of competent bodies as representative as we are and perhaps more. I should not be understood, Sir, to relegate these matters of very great importance to an unimportant head. Far from it. I realise the importance of the matters to which reference has been made not only today, but on the day on which this discussion was first begun. I realise as well as any Member on the benches opposite that such incidents, whether they occur on account of some one's mistake or not, on account of confused thinking on the part of those who witness them, they have an effect prejudicial to the formation of that healthy public opinion which is the chief support of every civilised Government. Having made these preliminary observations, Sir, I wish, with your permission, just to sum up what has been the result of the debate hitherto. It has been said, and said very properly, that these particular incidents have affected people's minds to the prejudice of Government. It has been said that people at large do not approve of the way in which the police deal with these processions and the picketing. It has been said further that inasmuch as the Prime Minister has made the statement and His Excellency the Viceroy has already initiated a change of policy by the release of

leaders, there is no reason why Government should not proceed further and release the people who have but followed the leaders who are thus released. There is a great deal of force in the position thus taken up. May I, Sir, with your permission and with the indulgence of the House take a bird's eye view of what has happened in this connection during the course of last year?

It must be within the memory of Honourable Members that less than a year ago this country was in a state of extreme confusion. Under the Statute which governs the existing Reforms an inquiry was being conducted whether this country was entitled to a further step of advance in the matter of Reforms or not. This country had to establish that it did deserve a step in advance and a big step. Opinions differed whether that step should be a small one or a big one, or a very very big one indeed, with the result that there were three or four schools of thought which came into existence. There were the people who wanted independence; there were those who wanted Dominion Status; there were still others who wanted Dominion Status with safeguards; and there were still others whom people liked to call reactionaries, but who called themselves perhaps conservatives or people with large vested interests in the country. These four schools of thought existed, and every one of these four schools of thought wanted some reform or other. The Congress took up the task of carrying on political agitation in the interests of further reforms; and therefore every step taken by the Congress had the moral support of followers of each one of these four schools, with the result that a body of opinion came into being which, if it did not approve of every single act of the Congress in prosecution of their programme, at all events gave the Congress movement their moral support. That support was at the bottom of that great movement, the Congress movement; and it has had great results. I need not go into the details of this movement. I may at once proceed to the stage where we are today. The time arrived when the right of India to a great and big advance had to be determined by the British Parliament. Whatever I may say, and whatever my friends who are sitting on the opposite benches and perhaps outside this Assembly may say, that our destinies are in our own hands—and no doubt they are in our own hands—still, the determination of that step rests with the British Parliament; and no authority outside the British Parliament can determine the extent of that step. No one in India therefore can possibly take it upon himself to say that political agitation in furtherance of legitimate constitutional rights was not justified till the British Parliament had pronounced to what extent that step was going to be.

Now, Sir, I come to the stage where the Prime Minister, who is responsible to the British Parliament, actually made a statement laying down what the policy with reference to Indian advance was going to be. He discussed that policy in the House of Commons, and thereby obtained, so to speak, the agreement of the British Parliament as to what the extent of that step in general terms was going to be. If I read aright public opinion in India, that statement has received support from all schools of thought excepting the Congress, which institution has not yet expressed its definite opinion on it. If I am right so far, I trust I shall have the House with me in saying that thereby all political parties in India, except the Congress, do not wish to proceed with political agitation so called, at this stage. They feel that the stage for which they were working has been successfully

[Khan Bahadur Mian Sir Fazl-i-Husain.]

reached and that the Prime Minister's announcement as to the extent of that step is, to them, satisfactory. Does the Congress realise that position? Has the Congress realised that really the achievement up to date has been the achievement of India, not of one political party in India? I am afraid there is some doubt on that point, but I am not surprised. All governments, all organizations, all the rulers of all organizations tend to forget that what has been the achievement of others is probably their own achievement. Here we find almost all newspapers, the whole of the public Press, expressing satisfaction at the Prime Minister's statement, excepting the extreme Congress papers. I hope I am not overstating the case. From my own province, the Punjab, comes the *Tribune*, which has always held pretty strong nationalist views. It wants the Prime Minister's statement to be taken as a good valuable basis of discussion. Coming to the United Provinces, the *Leader* is of course strongly for the statement obtained by the Indian delegates at the Round Table Conference. We find similarly in Madras, the *Hindu* . . .

**An Honourable Member:** What about Bengal?

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** You must not be impatient. The *Hindu* of Madras similarly supports the same idea. In Bombay not only the *Times of India* but also the *Indian Daily Mail* is in support of it. In Bengal . . .

**An Honourable Member:** The *Statesman* :

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** In Bengal is there any nationalist paper now of the type which used to exist thirty years ago?

**An Honourable Member:** The *Amrita Bazar Patrika*.

**Another Honourable Member:** Question.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** There you are; nothing; without in the least intending to cast the slightest slur on that great province which had been the leader of political thought in India at the birth of the Congress I cannot say that it still leads when Congress has reached its manhood. Well, it comes to this: that barring a few papers of really very very strong views, views which I am afraid none of the Members of this House are likely to share . . .

**An Honourable Member:** What do they say about the release of prisoners?

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** I am coming to that; you cannot have all the points at the same time; that is the position, that all schools of thought are strongly in favour of treating the Prime Minister's statement as practically closing this struggle. I do not say that the struggle is all over, but the Prime Minister's statement has closed the first chapter of this struggle. If that is so, then the question arises, is it not our duty—and when I say “our” I am not talking on behalf of the Government; I am talking of the duty of this House and of every individual Member of this House—our duty individually as well as collectively, is it not our duty to make it absolutely clear to the Indian public,

including the Congress, what we feel the position is today by virtue of the statement of the Prime Minister? That statement has concluded the first phase of the war for reforms. That statement has concluded that struggle, which was being conducted because nobody knew whether the British Parliament meant business or not. You will realise, Sir—I claim no credit either for me or for the Government of India for the the matter of that—but I do claim credit for the British Parliament that they in their policy as to the extent of that step have gone further than the Government of India and further than any authority up till now.

**Mr. Gaya Prasad Singh** (Muzaffarpur *cum* Champaran: Non-Muhamadan): What does Mr. Jinnah say?

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** He is not returning to the Assembly, that is what the papers say.

**Maulvi Muhammad Yakub** (Rohilkund and Kumaon Divisions: Muhammadan Rural): Because probably he thinks that the Assembly is not a fit place now to come in.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** My Honourable friend is entirely mistaken; probably Mr. Jinnah thinks that India is for the present not a fit place to return to.

**Maulvi Muhammad Yakub:** Including the Government of India, I suppose.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** He has no place in it. These remarks are, however, by the way.

But let us resume really the dispassionate consideration of a really serious position in the history of this country. As I was saying, a stage has been reached when the real position as to the future of political advance in India has for the time being been determined. Again, *mind* you, I do not say that it has been determined for good or for ever. Certainly not. But the extent of this step in advance has for the time being been determined.

**Mr. President:** May I draw the Honourable Member's attention to the fact that his time is over? Will he please now conclude as early as possible?

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** I will, Sir, certainly. I trust there will be no attempts to take me away from the points which I want to make. Having determined that step, Sir, the question arises what should be done. I think this is a very simple matter altogether.

**Mr. C. S. Ranga Iyer** (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Will the Honourable Member advise the Government of India to stop the *lathi* charges that are being made indiscriminately all over the country, and especially in Madras where an adjournment motion was passed by the Council censuring the Government? That kind of thing should stop. The Honourable Member has wandered away from the subject without drawing the attention of the Government of India to and without making a statement on this fundamental question which is really creating a great deal of disturbance and ill feeling all over the country.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** I did not notice whether the Honourable Member was present in the House or not when I began to speak.

**Mr. C. S. Ranga Iyer:** I was listening to the Honourable gentleman very carefully. He was dwelling on the importance of the Premier's statement all along, but he all along forgot that the effect of that speech was being neutralised all over the country by the indiscriminate *lathi* charges by the provincial police, following the policy set up by the Government of India.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** I thought, Sir, I began my speech with it. I thought my friend had slipped in a little later. No doubt he came in when I was emphasising the importance of the Prime Minister's statement. But I recognised from the very beginning that that was the important point to be settled, though the other questions like *lathi* charges, processions, picketing, are also of such great importance that any abuse of the orders by either side was likely to inflame the feelings of the people who come in close contact with such incidents. I had said that that matter, as the Honourable Member himself mentioned, was within the jurisdiction of the local Legislatures. I am glad to see that the Madras Legislative Council has dealt with that question . . .

**Mr. President:** I should like the Honourable Member to hasten his concluding remarks.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** I am sorry, Sir. But I find that my Honourable friend, quite unintentionally I know, is taking me away from the points that I want to make. I have not the slightest doubt that he did not . . .

**Mr. C. S. Ranga Iyer:** I am asking you to deal with the fundamental question of *lathi* charges and to stop them by advising the Government of India.

**Mr. President:** I must ask the Honourable Member to conclude now.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** Very well, Sir. I will try to get on to the concluding part of my remarks. The problem seems to me to be extremely simple at this stage. Our next step having been settled, what are we really quarrelling about? In case the Congress feels that that step is adequate, there will be nothing to quarrel about. There should be no continuance of either picketing or processions or any other demonstrations, and if that is so, there can be no *lathi* charges, there can be no Ordinances in existence. But I will be content with simply saying that if there are no processions, there can be no *lathi* charges. I go further and say that all the repressive measures should cease to exist as soon as the need for them disappears. They disgrace the Statute-book, they disgrace it very much indeed, and I assure the Honourable Member opposite that no Member of Government, be he an Indian or be he a European, is proud of that achievement. Is he? I assure you that every English Member of the Government feels no less than I or you do, that an Ordinance is a hateful thing. Do you think that the man who signs the Ordinances is happy over it? To imagine that any one gloats over it is to do us injustice, to ascribe to us feelings and sentiments which are not human. And I assure the Honourable Members

that, whatever some of you in your anger may think, we are, after all, not so much worse than any of you. Sir, I think I may say that I along with my colleagues sitting on these Benches will not be backward in doing away with all these measures which are as hateful to us as to you as soon as the necessity for them disappears. No one is more anxious to see the day when the necessity for these measures will disappear.

**Sir Hari Singh Gour** (Central Provinces Hindi Divisions: Non-Muhamadan): Who is to be the judge of the necessity?

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** As to who is to be the judge, Sir, I think one may easily agree. Sir, I request you to be the judge, and failing you, your Deputy President. Here I have in my hand a beautiful comment as to Mr. Chetty having been guilty of "not chivalrous conduct in not submitting to the wishes of the lady picketers who wanted him not to come here in order to preside over this Assembly". This "peaceful" picketing, Sir, is described by this paper as necessitating that every one who is the subject of that picketing should bow to it. It says this: "Mr. Chetty had to invite those very minions of law and order whose policy he condemns to arrest as many as 13 volunteers from his house to enable him to preside over the Legislative Assembly". It goes on further and says: "Mr. Chetty had done every thing to show his contempt for Indian womanhood and scant consideration for that noble virtue called chivalry". Sir, is that peaceful picketing? Who is to be the judge of it? Mr. Chetty or some Members of this House who have not been worried by this peaceful picketing? I, Sir, venture to say, it pains me to say, I assure you it pains me to say that to drag in the womanhood of India and the child mind of India into this struggle is perhaps a very thin nail in the coffin of the future of our ideals (*An Honourable Member* from the Nationalist Benches: "Question"), and as has been said, during this debate as effective a nail as a *lathi* blow is on an innocent man. It is a great pity that such sentiments should be expressed when an extremely important subject is under consideration. But let us be under no delusion . . .

**Mr. President:** I am very sorry to interrupt the Honourable Member again. I must ask him to conclude his remarks in about a couple of minutes.

**Dr. Ziauddin Ahmad** (United Provinces Southern Divisions: Muhammadan Rural): On a point of order, Sir. There are two amendments taken at the same time, and I would request you to give us a little more time . . .

**Mr. President:** Order, order. I have exercised my discretion and am giving sufficient time to all speakers. I have got to be careful that every side of the House gets ample opportunity to take part in this important debate.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** To conclude, Sir, let us not now think of all these struggles and strifes. Really the time has come to give up all such notions of critical examination of the past. There may have been wrongs, probably, on either side. Is it not time now to think more of to-day and to-morrow than of yesterday? I assure you that those who are anxious to do all they can to promote the Prime Minister's ideal of future advance will be ready to do everything that lies in their power to bring all these incidents to a close, and start

[Khan Bahadur Mian Sir Fazl-i-Husain.]

a new era wherein all schools of thought would be ready to take their legitimate share. I trust and hope that every effort will be made by every public spirited Indian in this House and outside this House to make it absolutely plain to the Congress that they have had their moral support all along, but henceforth if they persist in their conduct of what they call peaceful picketing and innocent processions, inviting the authorities to intervene in order to reduce and counteract the intimidation which lies behind them, intimidation of peaceful men pursuing their vocations, or of children who are going to their school and thereby affecting prejudicially the mind of the youth of the country, they will not have any support whatsoever from them and that India wants peace and a start on the future reforms in a good and quiet atmosphere and those who stand in the way of the creation of that atmosphere India will hold responsible. (Applause.)

**Sir Abdur Rahim** (Calcutta and Suburbs: Muhammadan Urban): Sir I listened with every attention to the speech of the Honourable Member opposite, for I was very anxious to get a peep into the mind of the Government on this question. Government are fully aware how much this question is agitating the mind of the country, and I should have thought that this was a most opportune moment for the Government to take the House into their confidence and tell them the sort of policy they are going to pursue in the future. Unfortunately, the Honourable Sir Fazl-i-Husain has not left us any wiser than we were before so far as the present question is concerned.

Sir, if we were to discuss the pronouncement of the Prime Minister of England and the speeches that have been made at the Round Table Conference in St. James' Palace and in the House of Commons, it would take a very considerable time, and the time that is allowed for the discussion of this Resolution is very limited indeed. So far as this Resolution is concerned, it is perfectly frankly couched in plain language. There are two amendments, one of them was moved by my Honourable friend behind me, Seth Haji Abdoola Haroon. It professes to condemn the language used in the Resolution as regards the policy being one of repression, and it also suggests that we must leave it to the Government, when it is so satisfied, to grant an amnesty to the political prisoners and to repeal the Ordinances,—all those measures which the country has already condemned with one unanimous voice. Sir, if my memory is right, the other day the Honourable the Home Member complained of the use of the word "repression". The amendment also disapproves of that description of the Government's present policy. But the Mover of the amendment himself used much stronger language in condemning what is going on in the country: he called it "the policy of ruthless repression." (*An Honourable Member*: "The truth has come out".) Even the Honourable Sir Fazl-i-Husain, speaking of the Ordinances, admitted that an Ordinance is a most hateful thing, and he condemned it as much as anybody else. Now, Sir, is this not repression, Government by Ordinances of this character—no less I believe than 12 are in operation at the present moment,—which nullify the law regarding individual liberty, regarding the right of association, and all that, to a very, very large extent indeed? Sir, these Ordinances are not law; they are not even called law; and nobody calls them law. One of the requisites of law is that it must be definite, so that it can be administered properly by courts of justice, where evidence

can be adduced in the matter that is being adjudicated. But can any one say that Ordinances of this character have got any of the attributes of law,—definiteness? It is as wide as any executive order; these are mere executive orders. Then, how are they enforced? Is it not perfectly true that in many cases what they call *lathi* charges are made on men, women and all sorts of people (Mr. C. S. Ranga Iyer: "Shame!")? What has been the result of the enforcement of these Ordinances? At one time, I believe, no less than 60,000 persons including amongst them the most enlightened, the most prominent men of India, men whom all the world respect, including women, including a host of highly educated young men (An Honourable Member: "And boys"), were put in jail, and I believe that even now more than 20,000 are in prison under those Ordinances, and some sections of the Criminal Procedure Code, which are also of an executive nature; I mean especially section 144 of the Code.

Allusion has been made to what happened in Calcutta the other day. I do not want to deal with that as the matter, I understand, is *sub judice*. But there can be no doubt that an occurrence of that nature is bound to inflame the minds of the people. There is hardly any Indian who can say that this is a policy which can be justified. Sir, it cannot but be rightly described as a policy of repression. I think the Government recognise,—the higher authorities, the British Government, the British Parliament, and leaders of all parties in the Parliament, His Excellency the Viceroy, they have all recognised—that the time has now come for a change of policy altogether. You could only justify it on grounds of necessity. Can you say that there has been necessity really for pursuing this policy? If there has been, I am sorry to have to say that the necessity has arisen from the blunders of the Government themselves. I will not try to go back very much. The recent blunder began with the appointment of the Simon Commission, and even that blunder was not set right in time, although Government had sufficient warning. Most of the responsible leaders told the Government that they could not any longer pursue the form of Government which had been constituted under the Act of 1919 in dealing with the people and that the Government must now change its course of conduct. You must adopt a policy which will give the people of this country a right to govern themselves. They pointed out the way at a very early stage as to how you could bring about peace and order and real conciliation of the people of this country. If you had accepted the proposal for the Round Table Conference in the beginning, all this would not have happened. It was really the inability of the Government to see the signs of the times that brought the Government to this stage. Look at the position. Are not the Government even now going to grant an amnesty to political prisoners? May I ask, is it fair, is it in accordance with the principles of justice and fairness that you should release the leaders of the movement and keep the others in confinement? What justification have the Government got for such a policy? Is it even political expediency? These people have got thousands of friends and relatives outside. What will they say? Is it not unfair to keep these men still in jail? Can the Government meet such a charge? Most certainly not. Then, is it not the duty of the Government which claims to be the leader of the people, to take the lead in their own hands? From your point of view, is it not the only right thing to do, to release these people whose release is essential for the political peace of the



[Sir Abdur Rahim.]

country? I am perfectly sure, as Mahatma Gandhi said the other day, it will be very difficult for him and other leaders to bring about a proper condition of things in which the constitutional position can be properly considered unless these men are released. They have got to answer to their people. What answer can they give? They have no answer to give. You are putting them in a very difficult position indeed. If I were one of the Congress leaders and I had been in jail and had been released, I would have certainly felt as Mahatma Gandhi is feeling today. It places them in a very false position indeed. Then there is the demand that there should be a proper inquiry into the *lathi* charges by the police. It is very difficult to say for any one who has not got the full facts before him, whether in a particular incident the police were to blame or not, and how much they were to blame, but all the same there can be no doubt that there is universal complaint in the country that in many cases the police are taking the law into their own hands and ill-treating the people, sometimes very mercilessly indeed. This belief is so widespread that the only right thing for the Government to do is to make an inquiry. Until such an inquiry is made, there will always be suspicion in the minds of the people that the Government are trying to shield its officers even when they are misconducting themselves. That is a position which the Government should try to remedy. Sir, my Honourable friend Mr. Abdoolaharoon made a plea for the release of the Moplah prisoners and the prisoners in the North-West Frontier Province. I strongly endorse that plea. We are kept too much in the dark as to what happens in the North-West Frontier Province. There are all sorts of nasty rumours afloat, and it is time that the Government dealt with the North-West Frontier Province in a way very different from the way in which they are dealing with it now. Similarly, I think the whole country is now united in demanding an amnesty for the Moplah prisoners. They have suffered enough, and as you know, most of them were really misled by outsiders. They are religiously a very susceptible people. We all know that and that was taken advantage of during the non-co-operation movement, and their religious fervour was exploited. I think it is time that Government extended, or rather the Viceroy extended his clemency to these Moplah prisoners also.

**Sir Hugh Cocke** (Bombay: European): I do not want to be controversial. I did not want to go into the past, but when Honourable Members come down to this House and claim that Ordinances need not have been brought into operation, when they claim that the police have been repressive and have taken unreasonable steps in promoting law and order by *lathi* charges and so on, I am bound to ask myself and I am bound to ask the Members of this House, in what state the country might have been today had no Ordinances been promulgated and had the police conducted their work with that inactivity which I presume Honourable Members would advise. I have been in Bombay for the past few months and I have heard many respected Indian citizens, who have expressed the opinion that the police have been far too lenient. Granted there may have been cases, which have got into the newspapers, in which the public have taken the view that certain steps were taken which were unnecessary . . . . .

**Mr. C. S. Ranga Iyer:** Has the Honourable Member visited . . . .

**Sir Hugh Cocke:** I will not give way to the Honourable Member at this stage. Taking the conduct of the police as I have seen it, I consider that it is beyond all praise. We are told of these *lathi* charges, but we do not hear from these Benches of the stones which are thrown at the police before those *lathi* charges start. Are the police to throw their *lathis* into the crowd and say, "Use them as well as your stones against us". I think Honourable Members must take a more serious view of the situation. There may have been mistakes. I do not deny that for a moment.

**An Honourable Member:** Will the Honourable Member tell the House how many casualties there were among the police as the result of stone throwing?

**Sir Hugh Cocke:** I have got no note book in my pocket recording how many stones were thrown and what was the injury, but I can say that the number of police struck is not inconsiderable. As I said, I do not want to go into the past. It seems to me that today we are facing a new situation and I doubt whether it helps very much to go into the past and condemn the Ordinances and the police activities. It seems to me, Sir, that what we want to get down to is to consider the new situation which has arisen as a result of the success, I think the generally acknowledged success, of the Conference in London, and to see how that success can be brought into operation in remedying a state of affairs in India which no one is in favour of continuing. (Hear, hear.) That brings me to the amendment of my friend, Seth Haji Abdoola Haroon—an amendment which we on these Benches are only too glad to support.

**Mr. D. K. Lahiri Chaudhury:** Was it brought forward under your instigation?

**Mr. President:** Order, order.

**Sir Hugh Cocke:** That amendment, as Honourable Members know, recommends that, as soon as the Governor General in Council is satisfied regarding the discontinuance of the activities of the civil disobedience movement, he should forthwith take action to secure the release of persons convicted of, or on trial for, offences not involving violence in connection with that movement. Now, gentlemen . . . .

**Mr. K. Ahmed:** The Honourable Member should address the Chair and not the gentlemen of this House.

**Sir Hugh Cocke:** Sir, it seems to me that that is an amendment which should bring the two sides of the House together. If Honourable Members are prepared to consider the present and the future and not to go into the details of the past, for many mistakes there may have been on the part of the Government or the Congress, on the part of the people or of the police—if all sides are prepared to consider the situation today and think only of the future, it seems to me they ought to be prepared to agree to that amendment and to say, "We are willing to work, as a result of the Conference in London, and to withdraw this movement and to ensure peace in the country". Then, as a matter of course, the other things will follow. It cannot be expected, in my opinion, that the Government should

[Sir Hugh Cocke.]

take the initiative in releasing all these prisoners without there being any undertaking whatever at the present moment that the movement will stop. The first duty of the Government is to maintain law and order; this is most necessary so that the results of the Conference shall not be rendered ineffective; any general policy of releases without security would make the Government the laughing stock of the world. I do hold therefore that the Government would be wrong in taking action of that sort; from a common sense point of view they should not do so, I think, without some security for the future.

**Sir Hari Singh Gour:** Sir, the Honourable Sir Hugh Cocke and the Honourable Sir Fazl-i-Husain have both mentioned one fact to which I should like to advert. The Honourable Member for Education very rightly pointed out that there was a great deal of public opinion at the back of the Congress movement, and that the Congress movement was more or less supported by all parties, even by those who did not see eye to eye with it. Now I take that as a fact—that the Congress movement has the support of the bulk of the people of this country. Now the Congress demanded that the future evolution of reforms in this country should be with the consent of the people of India. That, Sir, was a clear declaration made by the National Congress. Now in defiance of the Resolution of the National Congress, a Statutory Commission was appointed composed of entirely of British Members of Parliament. I congratulate my friend, Sir Abdur Rahim, on his pointing out to this House that the whole movement connected with civil disobedience was the outcome of that mistake of the British Government, in which the Government of India participated. That being the case, the Congress said, "We do not recognize this Commission", and they embarked upon the civil disobedience movement. Now I do not for a moment suggest that anyone in this House sympathises with the acts of violence which have resulted from the civil disobedience movement (Hear, hear); and there are many on this side of the House who do not sympathise with the movement at all. But this fact nevertheless remains that the civil disobedience movement was launched by the Congress with the primary purpose of drawing the attention of the Government to the crying need of the hour that further reforms were necessary and that they could not any longer be delayed. We have been told, Sir, by Mr. Montagu himself in his Report, that one thing that struck him was the pathetic contentment of the people of India, and that had the people of India been more alert and more vocal in respect of what they demanded, he would have given them a larger measure of reforms. Well, the people of India, when they found that their rights were not being recognized to the extent they demanded, launched this civil disobedience movement. And if I understand aright, there is nobody I think on the other side of the House who would question the constitutional policy behind the civil disobedience movement as launched by the Congress. As a matter of fact the leaders of that movement have made it abundantly clear that that constitutional movement was intended to draw the attention of the Government to the demands of the people; and to that extent therefore it is a perfectly legitimate movement. Now what was the result? What did the Government do? We have been told that this movement has resulted in outbreaks of violence, but as often as there have been outbreaks of violence, so often the leaders of the Congress have entirely dissociated

themselves from them: and it has never been shown to us that the violent acts resulting in lamentable cases of murder, assassination and so forth had anything whatever to do with the civil disobedience movement. Sir, on the floor of this House some years back we had under discussion the question of the Bolshevie movement in this country, and we were told that that movement was gaining ground and against which an enactment was contemplated and was actually placed before this House. At the present moment we have a revolutionary movement in the country which must not be confused with the civil disobedience movement launched by the Congress.

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

I beg therefore to ask the occupants of the Treasury Benches, so far as the persons concerned in this civil disobedience movement, prisoners numbering about 60,000 are concerned, are there any prisoners connected with the civil disobedience movement who cannot be safely released? Sir, the occupants of the Treasury Benches were responsible for the release of 28 members of the Working Committee of the Congress, the leaders of the Congress. But the leaders of the Congress have lost no time in declaring their failure to negotiate or to consider the results of the Round Table Conference and the Prime Minister's speech, unless the rank and file are set free. Sir, is that an unreasonable request for the leaders of the Congress to make? They say, "We are the people who are primarily responsible for the civil disobedience movement; we are the leaders of this movement, and in consequence of our action, these 40,000 or 50,000 people have been sent to jail. We cannot possibly consider the proposals of the Round Table Conference and also the Prime Minister's statement unless these people are liberated."

Now, Sir, that is the plain request which the Honourable the Mover of the Resolution wishes to make in this House, that you cannot expect the creation of that pacific atmosphere for the dispassionate consideration of the offer made by the Prime Minister so long as the rank and file of the Congress movement remain incarcerated. It has been asked, "What guarantee is there that if we were to liberate these people there would not be a recrudescence of the civil disobedience movement?" That, Sir, is a risk and I grant it is a risk, but do take courage in both hands and take that risk, and you will find that if you were to liberate these people and give them the chance of coming together to consider the proposal made by the Prime Minister, I am quite certain that that risk would be negligible. Sir, we are hearing from all sides of the country that the civil disobedience movement has passed its apex, that the civil disobedience movement is dying down, and if that is so, added to that natural decline of the civil disobedience movement, if you add to it your clemency and release these people, I am quite sure you will create the atmosphere in the country for a dispassionate, and let me add, a sympathetic consideration of the proposals of the British Government which we all hope and trust, the people of India will accept. Sir, you cannot expect the people, so long as their relations and friends are in jail, to give that dispassionate consideration to the proposals of the British Government to which they would otherwise be entitled.

Turning now to the amendment of my Honourable friend, Seth Haji Abdoola Haroon, what does it say? It says that you should delete the

[Sir Hari Singh Gour.]

words "the immediate discontinuance of the present policy of repression pursued by the Government", and add at the end of the Resolution, words to the effect that as soon as he is satisfied regarding the discontinuance of the activities of the civil disobedience movement, the people should be forthwith released, etc. Now, Sir, if the civil disobedience movement stops first, then you are going to release these prisoners. But when are you going to consider the proposals of the Round Table Conference? The civil disobedience movement may not die down for some time to come, but are you going to hold in abeyance, during that time, the consideration of the proposals of the British Government? That is the question I wish to ask Honourable Members of Government. If you really want that there should be speedy peace in the country, if you really want that there should be co-operation between the two wings of this House, if you really want that the mass of the country's opinion should rally to your support and make popular the measures that are promised for the future governance of this country, then I ask you, Sir, to co-operate, that is to create a peaceful atmosphere in this country, which is only possible if you release all the political prisoners.

(At this stage Mr. President resumed the Chair.)

If they are not released, you will make us helpless; you will make yourselves helpless, and believe me, you will have to release them sooner or later. Then why not release them now rather than release them when it is too late? Sir, the British nation has a genius for doing things too late. My Honourable friend, Pandit Motilal Nehru, from his place here, asked the Government to convene a Round Table Conference, and if the Government had acceded to his request, we should neither have had the civil disobedience movement, nor any occasion for moving this Resolution. The Government dallied and delayed till the momentum of public opinion in this country was roused to a state of ferment, and the Congress ventured upon the launching of the civil disobedience movement. Then, the Government tardily as before convened a Round Table Conference, and now that the Round Table Conference has concluded its labours, the Government are still fiddling while Rome is burning; the Government are still saying, "You begin by stopping your civil disobedience movement, and when that stops, then we shall release these people". The Congress people, on the other hand, say, "You have released us; we are unable to negotiate for peace; we should like to have our rank and file, who have gone to jail for our own sake and at our instigation". That, Sir, is the position. It is an *impasse*. I see your difficulty but you should also see our difficulty and look at the question in a broad and statesmanlike manner. You have got the power, if the civil disobedience movement revives, and when you have got the power, you can use that power. When you use that power, you will have our support. You can then come to us and say, "We listened to your voice and released these people. We now find that we released them prematurely and the civil disobedience movement has been revived". I say, Sir, that no responsible Member of this House will fail to give you the necessary support if such an occasion arises. But, I can almost assure you on behalf of my friends, and I feel, Sir, that I am speaking also on behalf of a very large body of men outside this House, when I tell you that

if you once take courage in both hands and release these people, you will find that the possibility of a recrudescence of the civil disobedience movement is negligible, and you will bring about a happy state of things in which the solution of the great problem as to how the future constitution of the Government of India is to be constructed will become easier of solution, and in which you will receive the hearty co-operation of a very large bulk of the people who will be called upon hereafter to shoulder the burden. I hope, therefore, Sir, that the members of the Treasury Benches will rise to the occasion and forgetting all that has passed, think of one thing,—that is, how to bring about a peaceful settlement of this great question; and the peaceful settlement of this great question can be brought about only by releasing these prisoners and giving everybody a chance of meeting together for the purpose of considering dispassionately the proposals made at the Round Table Conference. Sir, I feel that the only thing that I and my friends can do is to support the Resolution of Mr. Sadiq Hasan and to oppose the amendment moved by Seth Haji Abdoola Haroon.

**The Honourable Sir George Rainy** (Leader of the House): Sir, I have no desire to exceed the time limit, and therefore I will ask the indulgence of the House if I am not able to deal as fully, as I might wish, with all the different aspects of the important subjects which have been engaging our attention. I should like to begin, Mr. President, with the main Resolution which asks the House to condemn the repressive policy of Government. The repressive policy alluded to clearly is the action taken by Government, or under Government orders, for meeting the dangers that arise from the civil disobedience movement. I think at this point it is desirable to state briefly what that movement amounts to, and I shall try to be as little controversial as possible. Its declared object, I think I am entitled to say, is the subversion of the present system of government and its replacement by another. Its chosen methods are defiance of the law and, subject to the proviso of non-violence, resistance to the authority of Government. As the movement has actually been carried on, non-violence has sometimes been more honoured in the breach than in the observance; disturbances of a grievous character have occurred, and even when violence is not in question, methods have been employed involving extreme hardship and injustice to traders, to Government servants and to the population generally, and most serious interference with their right to carry on their business, to perform their duties, and to do without interference that which the law permits them to do. Now, Mr. President, when such a state of things arises, then it is the duty of any Government and will be the duty, should such a situation arise, of the Governments which may come into existence under the new constitution, just as much as it is the duty of the present Government, to take every step in its power for the protection of its citizens and its servants, and of that duty it cannot relieve itself. If that is repression, then the policy of Government may be described as repressive, but it is the only possible policy for any Government.

That however is not the whole story. The policy of Government has another side. As this House very well knows, it has been their declared object to clear the way by conference and discussion for the early attainment of India's aspirations. The Announcement by His Excellency the Governor General in the Autumn of 1929 that the objective defined in the historic declaration of 1917 was Dominion Status and

[Sir George Rainy.]

nothing else, the assemblage of the Round Table Conference in London, and the declaration of the Prime Minister on the 19th January last, in which these discussions culminated, all these mark the fact that the policy of Government is very far from being one of mere negation and obstruction and that its positive side is of much greater importance.

It is worth while, I think, Mr. President, to consider what the position is in which we find ourselves today. The Round Table Conference has met and has arrived at its provisional conclusions. It has been announced that its discussions will be continued, and that contact will be maintained between responsible public men in England and in India, in whose hands the conduct of these discussions will remain. All this is settled, and if my Honourable friend, Sir Hari Singh Gour, asks me when and how they will be resumed, I can only reply that that is a matter which rests with His Majesty's Government. But in these circumstances the Government of India has a two-fold duty. It is its obvious duty to do all in its power for the furtherance of the plans adopted by His Majesty's Government in consultation with the representatives of India; and it is equally its obvious duty to maintain established authority so that the new Government may in due season take over the control of the administrative organisation with its prestige and efficiency unimpaired. For what is the new element in the situation that emerges from the Round Table Conference? The conflict is no longer between Indian nationalism and the authority of Parliament. The Conference has made clear the way to settlement by discussion and not by force, and the struggle from now onwards lies between those who believe that India's aspirations can be realised most satisfactorily and most rapidly by the road of argument and persuasion and those who still desire to tread the arid by-path of agitation and civil disobedience.

Now, Sir, I should like to turn to the amendment of my Honourable friend, Mr. Amar Nath Dutt, which asks for the unconditional and immediate release of all political prisoners, and for the immediate withdrawal of all the special powers. I do not believe that my Honourable friend actually has in his mind anything quite so unconditional as that. I do not suppose, for example, that he means this that, if it were certain that the amnesty would make no difference as regards the civil disobedience movement, that it would be carried on in all its varied forms with equal or even greater intensity, and that whatever laws Congress might see fit to defy would be persistently transgressed, my Honourable friend would still urge upon Government to act in the manner suggested. I believe that what he has in his mind is very much what was expressed by my Honourable friend, Sir Hari Singh Gour, that the risk was negligible and that the effect of the amnesty proposed would be to bring friction and conflict to an end and lead to co-operation. Well, I will deal with that in a moment or two, but before I do so I should like to turn to the other amendment of my friend, Seth Haji Abdoola Haroon. Perhaps I may say at once, Mr. President, that Government are prepared to support that amendment; and I want at this stage to make clear the attitude of Government on two particular points. The amendment asks Government, as soon as a certain condition is fulfilled, to secure the release of persons convicted of or under trial for offences not involving violence in connection with the civil disobedience movement. The qualifying words "not involving violence" are important, and if they were

absent Government could not support the amendment. Violent crimes committed in pursuance of the civil disobedience movement are in fact inconsistent with the declared object of its originators, who have always affirmed that they wish to attain their ends by non-violence. Those who have been guilty of participation in, or incitement to, violence stand therefore in a different category from the great majority of those who have been sent to prison since April last. The amendment also restricts the recommendation to offences committed in connection with the civil disobedience movement, and at this point I must make plain the view which Government take of the outrages committed as part of the revolutionary and terrorist movement. They regard that movement as something altogether apart from what is generally known as civil disobedience; and if anything I say should convey the impression that it would ever be possible for Government to condone terrorist crime, I should be misleading the House for we cannot make terms with terrorism.

With a good deal of what fell from my Honourable friend, Sir Hari Singh Gaur, I find myself very much in agreement, because he expressed, what I believe to be the fact, that fundamentally, as to the result we wish to achieve, there is not very much difference between the two sides

of the House. I am certain that we are all of us influenced by a desire that conditions should be established in which all the energies of the nation may engage in the task of building up the new constitution in a spirit of co-operation and not of conflict. In this matter Government and the Assembly are at one. What we all want to do is to bring about the restoration of peace, to be everything which might effect that result and to abstain from everything which might hinder it. It is from this angle, I think, that the amnesty question must be approached. Now, the question arises whether if Government did take the action suggested by Mr. Amar Nath Dutt's amendment, it would in fact lead to the result which we all desire. After all on a matter of this kind we can only be guided by the indications which we have, and as men of common sense be guided by the considerations which ordinarily affect decisions. It may be that some hope that the amnesty would be followed by an immediate and spontaneous response on the part of the Congress, or that the pressure of public opinion would be so great as to compel a response. Indications on that point, however, are not in all respects encouraging. Utterances of Congress leaders, which I need not particularise, speeches which have been made, articles in the Press and Resolutions of the Working Committee of the Congress rather suggest that Government action has been misconstrued; that the releases we have already made are attributed to weakness or fear and not to a sincere desire that the whole country should co-operate, and I am afraid that so long as such impressions exist they must tend to retard a settlement. As to the pressure of public opinion, I do not under-value that, and I have no doubt that from one quarter at any rate pressure will be brought to bear. Most of the Indian delegates on their return journey from London are now nearing the shores of India, and on their arrival, their powerful influence will be brought to bear upon the situation. They above others have shown that the true path of advance is by argument and discussion and not by forcible methods, and I know that every one of us in this House hopes and desires that their efforts may be crowned with success. But this House also has a duty in this matter. (Hear, hear.) I would appeal to the House to consider whether the rejection of my Honourable



[Sir George Rainy.]

friend's amendment and the passing of the Resolution, either as it stands on the paper or in the amended form which Mr. Amar Nath Dutt's amendment would give it, would in fact adequately discharge the responsibility which vests upon this House to exert its influence for the restoration of peace. (Hear, hear.) Notwithstanding what Government have already done to give evidence of the sincerity of their intentions—and I need only refer here to the Prime Minister's declaration and to the release of the Members of the Congress Working Committee—it would seem that many think that the Government and not the Congress is the proper object of pressure. But the question I would ask Honourable Members to consider is this: whether an appeal to Government to grant an amnesty, irrespective of all conditions, is the best way of promoting the end which we all desire that those engaged in the movement should abandon the methods they have hitherto followed and turn to the path of co-operation.

If in what I have said I have in any degree carried the House with me, surely the natural inference is that an essential pre-requisite to a general amnesty is that Government should be satisfied that those who have been carrying on the movement are prepared to take the path opened at the Round Table Conference. A settlement which left the Congress free to carry on all its activities, to picket liquor and cloth shops, to organise a refusal to pay land revenue and other taxes, or to defy the salt laws while Government stood aside and did nothing, would be no settlement at all. The recent release of prominent Congress leaders, to which I have already referred, is enough to show that Government are not afraid to risk something when it may lead to a peaceful settlement, and that they will not allow their action to be governed by a sense of ceremony or punctilio, which insists that the other side must make all the advance and will make none themselves. But a satisfactory settlement implies at least this, that if it takes two to make a quarrel, it also takes two to make a reconciliation. (Hear, hear.) Government can do much, I believe, to bring about that state of feeling and thought in India from which alone the new India can emerge. But there is one thing which they cannot do. They cannot, by any action they may take of a conciliatory nature, compel those who believe that the goal is to be attained by subversive methods, by resistance and not by co-operation, to abandon those methods and to try another plan. The responsibility here does not lie with Government; it rests elsewhere. (Hear, hear.) For the rest, and in conclusion, I would only say this. Much time and labour have been spent in trying to find formulas, and I do not deny that formulas have their use. But infinitely more important is the spirit in which the problem is approached. The Government of India have already given an earnest of the spirit in which they will deal with this grave situation. It is that which was expressed in the words of the Prime Minister. "If Sir Tej Bahadur Sapru's appeal to India, as well as to us, is responded to in India and civil quiet is proclaimed and assured, His Majesty's Government will certainly not be backward in responding to his appeal." It is our hope and belief that the elements that might make peace possible are present if they can be used rightly, but if peace is to be achieved, it can only be if all parties concerned make a reciprocal contribution to its achievement. (Applause.)

**Maulvi Muhammad Shafee Daoodi** (Tirhut Division: Muhammadan): Sir, we were not used to the speeches delivered by our Honourable friend,

Sir George Rainy, in the mood in which he has done it today. He seems to be a different man, speaking on this question as the Leader of this House. The touch of sympathy which we used to hear from him as a Member of Government and not as Leader of the House is wanting today. Let me say that frankly. He seems to have taken the official view of the question in the most bureaucratic form. I do not know why this attitude has been taken by the Government, when I find that the Honourable Sir Fazl-i-Husain who preceded him, in speaking on behalf of Government, gave us his mind in a different mood. That encouraged us, and we hoped that something better would come from the Leader of the House. Therefore, I was disappointed in hearing what I have heard from the Leader of the House, and I therefore have made these observations as regards his speech.

When I read the Resolution of my Honourable friend, Sheikh Sadiq Hasan, I find that what he asks for is not the history of the thing: he does not want to go into the history of the civil disobedience movement or what has happened in the country since the last year or for the past ten years. What he wants to emphasise is what action will the Government take in the immediate future: the immediate future is the only concern of this Resolution. You will find that the words are clear enough:

"This Assembly recommends to the Governor General in Council the immediate discontinuance of the present policy of repression pursued by the Government and the adoption of a sympathetic and conciliatory policy."

That is the only thing that this Resolution aims at; and if we confine ourselves to the words of this Resolution, we have nothing to do with the movement as it has been going on in the country; we have nothing to do with what this party or that party has done in the country; we have only to see whether the immediate future requires the continuance of the policy of repression or a discontinuance of that policy. We have heard the history of what the policy of the Government has meant in the past from the Leader of the House, and we are asked to believe that the Government have been responsive to the feeling of the people and the aspirations of the people; and I do believe, from the speeches delivered at the Round Table Conference as well as in the House of Commons later on by the Prime Minister and other responsible members of all the parties in England, that there is in England a change of heart and a change of policy. I expect that with that change there should be some broad-mindedness among the people who are responsible for the administration of this country. But I find that, although the British Government, responsible men in the British Cabinet, have advocated a policy of conciliation, here in India the position seems to be different. His Excellency the Viceroy might adopt such a policy and I should say undoubtedly has got the idea of conciliating the people and of meeting their aspirations; but the methods followed by the administrators of the country do not take us in that line. If you want the people to have full expression of their views, you must leave them free. If you want that they should give free expression to what they want, to their aspirations and to their grievances, then the repressive policy will certainly not allow them to do that. At the present moment, the one thing that the Government of India should do in my opinion is to take away all the Ordinances, to release all the political prisoners and have a blank sheet before them from now. Unless you

[Maulvi Muhammad Shafee Daoodi.]

have a blank sheet at the present moment, all that you have done in the Round Table Conference will be of no avail. My idea is that this movement, which has been going for the last ten years, is coming to an end. I do not believe that this is a movement of an year's standing: it is a movement of ten years' standing. Since then the people have been clamouring for something which they ardently desired. That was not listened to. Now that the British Government have had sense enough to understand the aspirations of the people and have given expression to a very sympathetic policy and want an advance to be made, the only logical course to be followed here in India is to have a blank sheet, and a place where all the communities and all the interests concerned should, without any reservation, come together and discuss the future of the country. It has been said that the Congress should also be asked to discontinue its policy. I do feel that the Congress has got to be addressed also; but then in this House which is the only place where we can express our opinion and give our advice to the Government, we can say but this and nothing else, that the Governor General has got to discontinue the policy which has been followed till now, since the inauguration of the national movement in the country. This is the place where nothing else but this should be said. Of course, there is the other place, outside, in the country when we meet our friends of the Congress, where we can tell them that the policy of the civil disobedience at the present moment will not do; we have got to tell our friends who have got influence over the Congressmen that the policy of the civil disobedience movement will not be conducive to the good of the country. But here in this House the only thing that we can say to the Government is to discontinue the policy which has been followed till now; and therefore the logical thing that should be said in this House is what is contained in this Resolution. I would ask my friend, Seth Abdoola Haroon, to give up his amendment, because I find that in that amendment of his he has spoken of things which he has not, I should say, considered very seriously. He says in his amendment that only those persons should be released who have been convicted of or are on trial for offences not involving violence. I submit, Sir, that the North-West Frontier people, for whom he has pleaded, most of them have been convicted of violence. Why should he plead for them, if the Government are asked to release only those who are not convicted of or are on trial for political offences involving violence? It is self-contradictory. What I maintain is this: that people have got the right of expressing themselves against a form of administration they do not like, and it is the temperament of the people which will dictate to them as to whether they should be violent or non-violent. There are people, Sir, who will express things in a non-violent manner, and there are others who cannot but express things in a violent way. Now, it is not for us to dictate that the expression of opinion on the genuine demands of the people should be made in a particular fashion. It is for those who are concerned with the demand to choose the course which they think would best suit their purpose. I submit, Sir, the question of violence and non-violence should be absolutely discarded, and I would appeal to the Honourable the Leader of the House to revise his opinion on this question, otherwise the people on the Frontier, the Malabar people and many others who are not less patriotic than those who have been convicted for non-violent movements, will not be satisfied, and you will not be able to restore peace in the country. I believe the Honourable Member will agree with me.

when I say that it is the object of the person agitating that has got to be looked at. If the object of the agitation is to loot or some other criminal intention, then certainly you may hang the agitators or haul them up and deal with them as you like according to law.

**Maulvi Muhammad Yakub:** What about murders?

**Maulvi Muhammad Shafee Daoodi:** Murders too, certainly, it is very clear. I should say it depends on the intention of the man who is agitating. If the man carries on the agitation with a view to bring pressure upon the Government to listen to his grievances, certainly, now that the time has come, now that the Government want that there should be a calm atmosphere for a dispassionate consideration of the Round Table Conference proposals, all those persons should be released. I do not believe, Sir, that the release of a few persons who have been convicted of non-violent offences would bring about the desired result. For that reason I would say that the Government policy should now be to begin with a clean slate and to immediately discontinue all repressive measures and adopt a conciliatory policy. With these remarks, I support the Resolution of my Honourable friend.

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

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

**Mr. S. C. Shahani** (Sind: Non-Muhammadan Rural): Sir, I feel that it would have been very good if a chance had been afforded for discussing Mr. Das's amendment.\* Many may not like the amendment that has been proposed by my Honourable friend, Mr. Amar Nath Dutt; they may deem it to be extreme. Mr. Das has been reasonable in his view. (*An Honourable Member:* "Mr. Amar Nath Dutt".) But I am talking of Mr. B. Das's amendment. I think that that is a reasonable one, and would have been accepted by many. It provides for the release of those who have not been guilty of any violent offence. I think that Mr. Das's is a reasonable attitude, and I myself would have endorsed his amendment most willingly.

**Mr. President:** Order, order. I should like to draw the attention of the Honourable Member to the fact that Mr. Das's amendment could not be moved as Mr. Das is not present.

**Mr. S. C. Shahani:** It may not be possible for the amendment to be moved in the House; but I am merely expressing my opinion that the attitude that has been assumed in the amendment by Mr. Das is a reasonable one, and that men like me would have most willingly supported it. As it is, it comes to this, that if Mr. Amar Nath Dutt's amendment is put to the vote and lost, then my Honourable friend Seth Haji Abdoola Haroon's amendment would be before the House . . . .

**Mr. President:** And the original motion.

---

\*That at the end of the Resolution the following be added:  
"by granting amnesty to all non-violent political prisoners."

**Mr. S. C. Shahani:** The original motion would be put to the vote, but that is according to me, somewhat vague and will not satisfy all the Members of this House. If somehow the amendment of Seth Haji Abdoola Haroon is carried, that would, in my opinion, be a blot on this House. The House is already considered to be unrepresentative by the people, and on a question so important as this, if the House does not vote as it should, it would be greatly discredited in the country. I am very sorry that one hailing from my province has been persuaded to move this amendment. What will be the result of this amendment, if passed?

Our Viceroy, who has played the part of a very great statesman indeed, by being rightly conciliatory, and who is disposed to depend upon public opinion and take the necessary risk that may be involved in assuming this attitude, will be handicapped. I strongly feel—of course, it is a feeling, I have no information on the point—I strongly feel that he would be in favour of releasing those who have not been found guilty of any violent offence. The whole of the civil disobedience movement is non-violent. (*Maulvi Muhammad Yakub*: "Question".) A few exceptions, and exceptions there will be in all cases, do not go to prove that the civil disobedience movement is not non-violent; and my feeling is that if this amendment is carried as it seems likely that it would be carried because the Government are supporting it, the character of this House would be greatly damaged. (*The Honourable Sir Fazl-i-Husain*: "Question"). I should like very much that nothing should happen to impair our hope of a real settlement. The Congress leaders cannot rightly consent to let those who have gone to jail on their account remain in jail while they should themselves be negotiating with the Government. A very constructive policy has been adopted both by the Premier in England and by His Excellency the Viceroy here. If there was any sense in the attitude that has been assumed by the law and order people over the question of the release of political prisoners and the suspension of repressive measures, then the Premier of England should not have done what he has in connection with the Round Table Conference. The people here have gone in for civil disobedience, and he too might have insisted that, unless the civil disobedience movement was called off, he would not be a party to an offer of substantial responsible government to the people of this country. But he has taken a sound view. He sees that the things here have been mismanaged and that the people and the Government should be extricated from the present predicament; and it is therefore that he has behaved in the manner in which he has done. If my Honourable friend, Seth Haji Abdoola Haroon, had been here just now, I would have earnestly requested him to withdraw his amendment. But if he does not, and if his amendment comes to be supported by Government, I can only say that what the Gods give the *pujaris* seek to withhold. The Premier and His Excellency the Viceroy are both attempting to ensure calm consideration of the great problems facing the country, which will in this manner be frustrated by the rest of the Government. I shall here instance what transpired in Karachi on the Independence Day. The *pujaris* there—those that are in charge of the Government of the province—decided not to interfere with the procession, the unprecedentedly huge procession that was started there on that day. And what was the result? The police had their hands off the people, the procession was peaceful. Everything passed off well. There was no disturbance, and no bitterness caused by the excesses

committed in the name of law and order. The prestige of the Government stood as high as ever it was before. The conduct of the rulers ought to be such as was put forth on that occasion by the rulers in Sind. I do not understand how any sensible man can endorse the conduct of those, for instance, who guided the operations of the police in Calcutta on the Independence Day. I need not refer to the details of it because reference to those has already been made. The police or the Magistracy should not be permitted to use their power recklessly, in a manner which will alienate the sympathies of the people. The right policy of carrying on the Government in a manner which will find favour with the people ought to be pursued. Healing, kindly acts should be put forth, and not sickening *lathi* charges for disobedience of orders which might not have been passed. No unnecessary fear need be entertained with regard to the conduct of the people. If you behave towards them rightly, they are sure to respond in the same spirit. No risk will be run by the Government, I am sure, by releasing those who have gone to jail for no offences of violent character.

**Mr. Arthur Moore:** My friend, Mr. Shahani, has put with extreme moderation a point of view with which, however, I find myself in disagreement. This is, as some one the other day very justly remarked, a House of co-operators. The very fact that we are here means that every Member of this House is fundamentally a co-operator.

**Mr. Gaya Prasad Singh:** Do not speak for all.

**Mr. Arthur Moore:** I admit that certain Members occasionally feel called upon to make a noise like a non-co-operator, but I do feel that the fact that we are here means that we reject the doctrine of non-co-operation—all of us.

**Mr. Gaya Prasad Singh:** Not necessarily.

**Mr. Arthur Moore:** There may be some third position in between, which some Member may have found it possible to adopt, but I shall refuse to believe that my friend, Mr. Gaya Prasad Singh, is anything but a co-operator. Now, Sir, I feel that as a House of co-operators we should be putting ourselves in a very invidious position if after this motion and these amendments before us, we were to choose either the original motion or the amendment of Mr. Amar Nath Dutt in preference to the amendment of my friend, Haji Abdoola Haroon.

Scrutinising the wording of those various motions and amendments the inevitable conclusion would be that the House was not willing to dissociate itself from violence, and was not giving the Government proper support in dealing with the problem of violence. That is one point. The other point is that this House is or ought to be the guardian in this country of constitutionalism. Personally, I have never had the smallest doubt that but for Mr. Gandhi, and but for that unfortunate doctrine of non-co-operation, and but for the fact that non-co operation at one period did make its way into this Assembly we should be further than we are today, and that results that are being obtained now through the Round Table Conference with a great deal of argument would have been obtained with a great deal of ease. I am perfectly certain that by this time the reserved powers and the Viceroy's powers of certification would already be well on the way to become obsolete. The fact that they are not obsolete is due entirely to the advent of non-co-operation in

[Mr. Arthur Moore.]

this House in 1924. Well, Sir, I think that in this difficult situation in which the Government find themselves we would be taking a very great responsibility if we rejected the position taken up by such distinguished Indian nationalists and constitutionalists as Mr. Sastri and Sir Tej Bahadur Sapru. Those two eminent men, who have worked so hard to obtain a constitutional advance for India, have, as I understand it, launched a double appeal to the Government and to the Congress. They have certainly not taken up the position which it is being sought to force upon Government today, of saying "You must do this, whether or not Congress does that". I think that the attitude of a double appeal is much more becoming to this House, and although I sympathise very much with generous gestures, and with the arguments put forward by Sir Hari Singh Gour, I would remind him that, after all it is Government that have to hold the baby, and once Sir Hari Singh Gour says "Do this and take the risk", Government would be entitled to say to him "What guarantee can you give us as regards the calling off of the civil disobedience movement?" But, Sir, personally I have a great deal of sympathy with Mr. Gandhi's unfortunate followers who are in jail. Let us review the position with regard to them.

**Mr. Amar Nath Dutt:** Why do you call them unfortunate. They think they are serving their country.

**Mr. Arthur Moore:** I think they are unfortunate because they are in jail. But, Sir, let us review the position as regards Mr. Gandhi. On the 23rd December, 1929, His Excellency the Viceroy on the very day of that terrible outrage when his train was bombed, when he entered his new house, his first guests were Mr. Gandhi and other leaders. He put before them on that afternoon an assurance that the Conference in London would be absolutely free and unfettered, and that every subject connected with India's constitution could be discussed, including of course Dominion Status. Mr. Gandhi said, "No, you must give us Dominion Status before the Conference", and he refused to have anything to do with it. He then went to Lahore and started an agitation which led to most violent disorders in this country; and for several months during which his unfortunate followers who were committing breaches of the law were being imprisoned, as they had to be imprisoned, Mr. Gandhi remained at large to incite them for four months. Now we come to a later stage. A second attempt was made to make Mr. Gandhi see the very great opportunity that had come to India. Before the Conference met, Sir Tej Bahadur Sapru and Mr. Jayakar were given every possible facility to hold consultations with him and with other prisoners, and special trains were arranged for them, and again a blank refusal was returned.

Now we come to the third stage. The Conference in London has arrived at the broad outlines of a great settlement which will bring responsible government to India. Mr. Gandhi is unconditionally released. As for his followers, all the time they are in prison. Some, of course, with short sentences, come out and others go in. But while Mr. Gandhi has all these privileges, it is the followers who bear the brunt. Mr. Gandhi is out. I have read his utterances. He tells us that India is not to have this great constitutional advance at any rate until his

eleven points are conceded, points which, as we in this House know, have nothing whatever to do with India's constitutional advance. We are told that India is not to have this tremendous advance till the irresponsible, irremovable Government has passed certain laws, which obviously should, if we are going to have responsible government, be left to the decision of that responsible government. Nor, Sir, do I think Mr. Gandhi at all realizes the magnitude of this offer. If he understood that India was within measureable distance of responsible government, could he possibly suggest that the Criminal Investigation Department should be abolished? Is not that a matter which should be left to the responsible Government of India? Why should the Indian Government, which is to be brought into being, be started in this crippled condition? Mr. Gandhi is using his power to incite breaches of the salt laws. I confess, greatly as I respect his character and his devotion, that I feel that in the political field he is at present a definite obstacle to India's political advance, (Ironical laughter from the non-official Benches). I would much prefer, if it were possible—I am speaking really for myself—if this campaign against the salt law continues, and if the Government are compelled to incarcerate Mr. Gandhi, that then the question of enabling his followers to judge for themselves the issue with which they are faced should be considered by the Government, and also that the whole question should be reconsidered in the light of dealing with people whom we regard as subject to the ordinary laws of political reason, rather than with people who so far have shown that by no possible arguments are they to be conciliated. Sir, I would submit to the Government, that, if it is possible—I submit it with great diffidence—if it is possible to do something to make what has been arrived at in London seem a reality, something should be done. Personally, I have a very definite mandate from my constituents, which I shall attempt to discharge and that is a very clear mandate. They hold that there should be no constitutional advance at all—though they are by no means opposed to constitutional advance—while there is this agitation going on. Personally, I think that that is an entirely reasonable position to take up. But would it not be possible for the Government to make some announcement with regard to provincial autonomy? That, Sir, is something which can be done without further legislation. It is possible to abolish dyarchy by transferring the reserved powers from the reserved side to the transferred side. Now, would it be possible to fix some future date, some two months hence, say, before the departure of His Excellency the Viceroy, and of course with the concurrence of his successor, and to announce now that, if by that date the civil disobedience movement has disappeared, then the Local Governments would become responsible governments by transference, and the whole of this problem would be transferred to the responsible local shoulders?

**Mr. President:** The Honourable Member's time is up and I would ask him to conclude his remarks.

**Mr. Arthur Moore:** Yes, Sir, I will conclude at once. I submit it with the very greatest diffidence, but I do feel that we are in danger of getting into a long period of discussion and further conferences which will lead to disappointment in this country and increase the scope and ground of agitation. Sir, I commend the Resolution of my friend, Seth Haji Abdoola Haroon, to the House.



**Mian Muhammad Shah Nawaz** (West Central Punjab: Muhammadan): Sir, it will be admitted on all hands that in order to create peaceful conditions in India for the dispassionate consideration of the Premier's offer and

3 P.M. the conclusions of the Round Table Conference, it is absolutely necessary to follow a policy of conciliation and discard the policy of repression and of *lathi* charges. I believe it will also be admitted that the civil disobedience movement has done a great deal of harm to India. It has pretty nearly ruined the economic fabric of the country and in the interests of peace and conciliation it should be called off without further delay. I believe that it is the desire of all of us that a complete understanding, a complete co-operation and goodwill should be restored between India and Great Britain. If that is our desire, and there is no doubt that that is our desire, if the Government and Mahatma Gandhi are hankering after peace, it ought to be the easiest thing in the world to devise a formula by which repression and the civil disobedience movement can be abandoned simultaneously. I believe, Sir, that India's heart is sound and that of Great Britain is also sound. I am firmly of opinion that even Pandit Jawahar Lal Nehru and Mahatma Gandhi do not wish to turn the Britishers out of India. We could not expel them out of India even if we would, and we would not even if we could. We are indeed playing our parts in the real game for the attainment of a Dominion Status constitution or a substance of Independence for India. Sir, we are schooling our manners and acting our parts, but He, who sees us through and through, knows that the bent of both of our hearts is to be gentle, tranquil and true. The gracious message of His Majesty the King Emperor, the declaration of the Premier, the speeches at the Round Table Conference and the speeches in the House of Commons, all prove the fact that we are all dying for co-operation and goodwill and complete understanding. But, Sir, there should be no manner of doubt that at present repression does exist in this country. Those who doubt it are reminded only of the remarks which the British Premier had made in the House of Commons while he was delivering that one of the most remarkable speeches ever delivered in the House of Commons on the 26th January. Regarding repression, he said:

"Supposing we do not discontinue it, what are the prospects? Repression and nothing but repression. And it is a very curious repression, a very uncomfortable repression and a kind of repression from which we shall get neither credit nor success. It is a repression of the masses of the people, a great proportion of these masses being women and children. It is a repression not of organisation, not of bodies, but it will develop into a repression of the whole people. If we are prepared to march our soldiers from the Himalayas to Cape Comorin then refuse to let us go on."

Again, Major Stanley, who spoke on behalf of the younger members of the Conservative Party, also said that the national movement in India could not be put down by a few flambuoyant speeches or arm-chair critics.

Mr. Baldwin, the Leader of the Opposition, echoed the same feeling, and reminded the House of the Irish difficulties and said that all the members should give consideration to the Irish parallel before the responsibility rested on them for the consideration of the greatest and most difficult problem that faced them in the Empire to-day. But the most remarkable speech, the most striking speech that was made in the House of Commons was that of the Secretary of State for India, Mr. Wedgwood Benn. This gentleman has certainly done all that he could to bring about peace between Great Britain and India. This is what he says:

"Nobody who knows anything about India will deny that young people of both sexes are supporting the Indian national movement. Mothers of the citizens of

tomorrow and themselves citizens are supporting the movement and any one who expresses contempt for the opinion of the youth of the nation does not show much foresight as a statesman. Men who have rendered distinguished social service for which they have been rewarded by Government consider it their duty to champion the national cause. Another remarkable symptom of the situation is that the Indian commercial classes are not only behind the national movement but behind the civil dis-depressed classes who will not tell Mr. Churchill that the movement is vast and depressed classes who will not let Mr. Churchill that the movement is vast and spreading and that they all share sympathy with it."

Well, Sir, after this definite statement on the part of a responsible Minister of the Crown in charge of the Indian affairs, let nobody say that the national movement is confined only to a microscopic minority. After this definite opinion of His Majesty's Government and the other leaders in the House of Commons, I ask with what propriety or consistency can the Government detain in custody nearly 60,000 Satyagrahi prisoners while professing their desire to conciliate India? Now, Sir, I agree with the remarks of some of the previous speakers that to release the leaders of the movement and to detain in custody those who carried out the orders of the leaders is a thing that does not appeal to ordinary understanding.

**Mr. Arthur Moore:** That is not what I said.

**Mian Muhammad Shah Nawaz:** I know, you did not say that. The opposition said that. Well, Sir, Mr. Gandhi has made it perfectly clear that, in order that the release of the leaders might be effective, it is a condition precedent for the dispassionate consideration of the Premier's statement that the Satyagrahi prisoners should also be released. The main object of the conciliatory policy is to wipe out, to efface the memories of ten months of bitterness, agony and strife. His Excellency the Viceroy has moved in the matter. He has now released Mr. Gandhi and other leaders of the Congress; and for this act of his, we are grateful to him, but this, in my humble opinion, is a very half-hearted measure, and half-hearted measures never produce the desired effect. If the Government were to go the whole hog, and release the rank and file of the Congress simultaneously with the abandonment of the civil disobedience movement by the Congress, it would at once restore peace and calm in the country.

Sir, there are other points which I desire to urge for the consideration of the House. The noble work started by His Excellency the Viceroy, who is undoubtedly the most honoured gentleman in this country now, has been undone by the Provincial Governments. The imprisonment of Mr. Subhash Chandra Bose, the Mayor of the Calcutta Corporation, is most unfortunate. I am perfectly certain that the Bengal Government have taken an ill-advised action. They should not have banned the liberty of Mr. Subhash Chandra Bose. Again, there should have been no *lathi* charges in Madras also. You know, Sir, that the Madras Legislative Council has also carried a motion for adjournment. It has condemned the policy of the Provincial Government. The Provincial Governments, in my opinion, are placing the Government of India in a very awkward and embarrassing situation. In fact it is a self-contradictory position, and the Government of India should issue instructions to the Local Governments that they should move in the matter with great caution. I have already said, that His Excellency the Viceroy has released Mahatma Gandhi and other leaders of the Congress. It is a great step. The question is who should make the next move? I have seen the cable which Mr. Gandhi has sent to the *Daily Herald*. It shows that there is a prospect of peace, and I appeal to the leaders of the Congress movement (Hear, hear) to call off

[Mian Muhammad Shah Nawaz.]

the civil disobedience movement. Honestly we are tired of it. It should be the easiest possible thing in the world on the part of the Government to withdraw all the ordinances and to release all the prisoners not guilty of violence and also on the part of the Congress to call off the civil disobedience movement simultaneously.

Sir, I have very carefully considered the amendment moved by my Honourable friend Haji Abdoola Haroon, but I am not in agreement with it. It simply says that if His Excellency the Viceroy is satisfied that the civil disobedience movement is discontinued, he will see his way to get all political prisoners released who are not guilty of violence. This is really very vague. The Viceroy may not be satisfied or he may be satisfied. I know perfectly well that His Excellency the Viceroy, before he lays down the responsibilities of his office, is very anxious to release all those political prisoners who are not guilty of violence. In my opinion, His Excellency should at once call Mahatma Gandhi and the leaders of the Congress party to come to Delhi, convene a conference, lay the whole matter before them and ask them if they are going to call off the civil disobedience movement, and create a peaceful atmosphere for the dispassionate consideration of the scheme evolved by the Round Table Conference. But if the civil disobedience movement cannot be called off, Government will be compelled to resist the movement to the utmost of its power. If it is called off, Government will simultaneously withdraw the ordinances and release the political prisoners and peace and goodwill will be restored in the country. This is the way in which His Excellency should proceed and I humbly suggest to the Leader of the House that my proposal may be laid before His Excellency the Viceroy for consideration. When calm is restored, the scheme of the Round Table Conference and its details of vital importance can be improved by the Leaders of the Congress and other parties and will probably be improved by further discussions, arguments and negotiations.

**Mr. T. N. Ramakrishna Reddi** (Madras ceded districts and Chittoor: Non-Muhammadan Rural): Sir, I have listened to the speech of the Honourable the Leader of the House with the greatest attention and respect to find out if he would tell us the policy of Government with regard to the present movement. But I may at once state that, after listening to the speech, I was very much disappointed to find that he has not stated the policy of Government to the satisfaction of the country. After the most statesman-like action of His Excellency the Viceroy in releasing the leaders of the Congress movement, one would have thought that that would be the prelude to a subsequent conciliatory policy to be pursued by the Government. But the speech of the Honourable the Leader of the House has come as a surprise to us. Shorn of all its verbiage, the speech resolves itself into these three things. One is that as long as this movement continues, repression and more repression will continue. That is one point. Secondly he says, "You better call off your civil disobedience movement and then we will consider what we can do with regard to a conciliatory policy". This is all that we could get from the speech of the Honourable the Leader of the House.

Sir, the Honourable Member for the European Community, Mr. Arthur Moore, has tried to throw the blame for the civil disobedience movement on Mahatma Gandhi. He said that His Excellency the Viceroy had

invited him and told him that the representatives at the Round Table Conference would be given every scope to discuss either Dominion Status or Independence, whatever it is, and yet Mahatma Gandhi did not accept that offer and launched this movement. Well, Sir, what is it that Mahatma Gandhi wanted? He wanted an assurance from the Government that they would press the claims of India for Dominion Status at the Round Table Conference. That is all the assurance which he wanted, but the Government would not give any such assurance. Sir, how could any one believe at that time, that any good would come out of the Conference when the Simon Report mentioned Dominion Status as a far off ideal?

**Mr. Arthur Moore:** The 'Simon Report had not been published at that time.

**Mr. T. N. Ramakrishna Reddi:** The decision was almost known. However, Government would not give that assurance. Then what followed? At the Round Table Conference it was the action of the Princes agreeing to enter the Federation straight away that made His Majesty's Government revise its policy. Even the Government of India held a Federation to be a far off ideal. But when the Princes, to the surprise of the British statesmen, were prepared to come into the Federation, the British representatives had to yield on all sides. Now, what is the result? The Prime Minister has declared that he would recommend Dominion Status for India straight away. That is exactly what Mahatma Gandhi wanted and what he wanted has been justified by the subsequent events. If this assurance had been given at that moment, certainly all this civil disobedience movement could have been avoided. Government were not prepared to go so far and then this movement had to be launched. Well, Sir, I do not at this moment propose to enter into this ugly chapter of Indian history of the repressive policy pursued by Government afterwards, after the appeal made at the Round Table Conference by all sections that it should be made a forgotten chapter. But, Sir, I cannot at this moment forbear the temptation of mentioning to the House a few instances which have recently occurred, which would disgrace this chapter of Indian history. I will at once mention the instance at Peddapuram. Certain people at Peddapuram went on a picnic and when they having their picnic near Peddapuram the police smelt some diabolical plot, entered the picnic ground and belaboured most brutally the men, women, and children that went there for picnic, and even when the people wanted to run away they were not allowed to go but were all beaten. Then another instance which occurred recently was that of Mr. Bhashyam. He was a leader of the Congress movement, and only a few days ago he went to the godown street for peaceful picketing. He was belaboured, dragged out and beaten in the street; and when Mr. Bhashyam wanted to pick up another member who had fallen on the ground on account of the beating, he was again beaten. And this is the sort of treatment that is even to this day going on in the Madras Presidency in the name of law and order. On these incidents an adjournment motion was moved in the Madras Legislative Council and the motion was carried by a very large majority, with almost the unanimity of the elected Members of the House, 61 voting for and 29 against the motion. Such is the feeling in the Madras Presidency. Again, many influential gentlemen have sent a petition to the Viceroy to inquire into these acts of repression. Well, Sir, these are some of the instances. What is the result? Those who were still wavering, those who had still some faith in the Government, have entered the movement and thus made the movement stronger, and

[Mr. T. N. Ramakrishna Reddi.]

for the first time many women have also joined this movement and thus raised the movement by inches as Mahatma Gandhi has put it.

Thus the object of the Government in suppressing the movement has been frustrated. I do not want to go into the other instances in other provinces as some of the Honourable Members have already referred to them. Now we urge the Government to adopt a conciliatory policy. The Government want an assurance that there would be no more of the civil disobedience movement. They ask the country to call off this movement before they launch on a policy of conciliation. Mahatma Gandhi has already laid down some conditions and we do not know what he would do after consulting with other leaders. But at present he says that the picketing of foreign cloth and liquor shops and the breaking of salt laws must be continued. Now let us see what this picketing means. Take the picketing of foreign cloth. Is it a sin to preach boycott of foreign cloth and to improve home industry in cloth? Will any Government except the bureaucratic Government pass any law making it illegal to preach the development of home industries? Every year nearly 60 crores worth of cloth was being imported into this country and this country was drained to that extent of its money. At first Mahatma Gandhi started it only as an economic measure. He wanted to see that this drain was stopped. In the beginning Government did not take any notice of this movement at all. But when this movement caught the imagination of the country and when it affected the interests of Lancashire, they opened their eyes and began to pass ordinance after ordinance making the picketing of cloth an offence. Sir, I ask, is the policy of the Government to be pursued in the interests of Lancashire?

Then there is the picketing of liquor shops. Coming as I do from the Madras Presidency, I cannot understand why this kind of picketing is made an offence. After a great agitation, the Madras Government have agreed to a policy of total prohibition within a measurable distance of time; namely 20 years, and in pursuance of that policy the Madras Government are voting money year after year—several lakhs—for the purpose of preaching temperance to the people. There is a Central Advisory Board in the presidency town and in each district they have started Temperance Committees. They have also motor cars equipped with cinemas and given to each Committee to visit village after village, preaching temperance. That is what the Government themselves are doing. I will read a few extracts from the speech of the Honourable the Excise Minister of the Madras Government, declaring the policy:

"In areas in which Government encourage such reform being introduced, they did introduce total prohibition in the sense that all the shops there, toddy, arrack and foreign liquor, were abolished and I am glad to say that the experiments that have so far been tried have been so successful that in January 1931 we have extended this dry area by another fairly considerable bit . . .

Let me assure the House that it is not the mere sincerity of my professions on which I ask them to depend. It is, as I said, our earnest desire to take as speedy measures as may be practicable to put the resolution of this House into operation. That is the principle that will actuate me in the policy to be adopted in regard to the excise administration of this province . . .

I should certainly be most delighted to take a bold and courageous step towards prohibition. I am as enthusiastic over it as any Honourable Member sitting opposite to me, but seeing that the financial liabilities which are involved in the enforcement of total prohibition, when you have not got the mass opinion behind you. I should think that this is a proposition to which it is impossible at present for me to accede."

When the Madras Government are spending lakhs and lakhs of rupees to preach temperance and are actually closing shops in certain definite areas, is it a sin for Congressmen to do the same thing? If a Congressman has to undergo a year's imprisonment for preaching temperance, what is the punishment which is in store for the Madras Government which has enforced total prohibition in certain areas? Sir, these are the conditions which Mahatma Gandhi wants at this moment.

**Mr. President:** The Honourable Member's time is nearly up.

**Mr. T. N. Ramakrishna Reddi:** I will conclude. The object of the Government in releasing these leaders of the movement is to bring about a calm atmosphere in the country, so that they might dispassionately review the results of the Round Table Conference. But do they really believe that by releasing only the leaders they can bring about that calm atmosphere in the country which they desire? Can the leaders consider these questions dispassionately when their rank and file are rotting in jails? Certainly the Government must have some more imagination and they should see that all those political prisoners are released. Then there are the ordinances. The Honourable the Home Member at the beginning of this Session withdrew the Press Bill because he said that it would give rise to acrimonious discussion which it is not the intention of the Government to raise at this moment.

**Mr. President:** The Honourable Member is going on. I want him to conclude.

**Mr. T. N. Ramakrishna Reddi:** I would only say that these ordinances also must be withdrawn so that a peaceful atmosphere may prevail in the country.

**Maulvi Muhammad Yakub:** A silent vote, Sir, on this Resolution is calculated to create great misunderstandings and this is my only apology for intervening in this discussion. When I read the wording of the Resolution under discussion, I thought that it was aimed at translating the words of the Prime Minister into deeds. But it is unfortunate that the Honourable the Mover of the Resolution and some of his over-enthusiastic supporters have supported the Resolution in a language which is not calculated to create the atmosphere which they desire to create in the country. In the same way, the Churchill-like speech of my friend Mr. Arthur Moore is, on the other hand, not calculated to create that atmosphere which we want should be created in this country. There can be no doubt, that in order to have a dispassionate consideration of the situation which has been created after the Round Table Conference, we ought to have a calm atmosphere. We ought to have undisturbed surroundings in order to have a dispassionate consideration of the present situation. But I am unable to understand how the reiteration of our tales of misery can create this atmosphere. In fact by repeating the tales of misery we only accentuate the feelings which are not conducive to create that atmosphere which my friends desire should be created. There can be no doubt that the Congress leaders cannot dispassionately attend to the consideration of the new situation, which has been created after the Round Table Conference, unless their followers, the people whose liberties have been restricted in following their lead, are set at liberty. I quite see the force of the argument which is advanced that

[Maulvi Muhammad Yakub.]

Mr. Gandhi and his followers will not be true to their creed if they agreed to the consideration of the situation without demanding the release of their followers. But I am unable to agree with my friend, Maulvi Shafee Daoodi, when he says that even a murderer and men guilty of violence and of offences involving moral turpitude should be included in the category of these noble-hearted young men who have been deprived of their liberty in the service of their country. I also cannot share the view expressed by him that there was anything uncalled for in the speech delivered by the Honourable Sir George Rainy. On the other hand I think that the speeches delivered by the three Members on the Treasury Benches were tempered in as moderate and as conciliatory language as they could have been. But at the same time I am unable to agree with the Honourable the Leader of the House that this Resolution means a condemnation of the policy of the Government. I do not find any word in this Resolution in which the policy adopted by the Government up to this time has been condemned. The Resolution only speaks about the future. It says:

"This Assembly recommends to the Governor General in Council the immediate discontinuance of the present policy of repression pursued by the Government and the adoption of a sympathetic and conciliatory policy."

There is nothing in the Resolution which condemns the policy which the Government, as in the words of the Honourable Sir Fazl-i-Husain, the Government very unwillingly had to adopt. I therefore heartily support the wording of this Resolution, and I think the time has come when Government should adopt a more conciliatory attitude. At the same time I cannot shut my eyes to what is happening in the country; and if on the one side I appeal to the Government to adopt a more conciliatory attitude, on the other side I also appeal to the leaders of the Congress that they should also reconsider their position. I feel that the announcement of Mr. Gandhi and his followers after their release has made the position of men like myself more difficult in this House. If Mr. Gandhi had also given some gesture that he and his party are also prepared for a truce, then I think our position would have been much stronger in advocating this Resolution today. You cannot create a calm atmosphere by suspending the activities from one side only. What we really want is a truce, and you cannot have a truce if both sides do not suspend their activities. You cannot ask one party to surrender and to stop their activities, while the other side is still actively carrying on their campaign. (*The Honourable Khan Bahadur Mian Sir Fazl-i-Husain*: "Hear, hear.") So, while I appeal to the Government to adopt a more conciliatory policy, at the same time I appeal to that great apostle of peace and to the great President of the Congress as well as the other leaders of the Congress movement to reconsider their position. We cannot do anything but appeal to both of them; we have got no authority to compel Government to adopt a certain policy; nor have we got any authority to compel the Congress leaders to adopt a certain attitude. We have arrived at a point when a review of the whole position has become necessary, and therefore it is quite urgent and necessary that both parties should stop their activities. I will not agree that we should ask the Congress to stop their activities while the Government should carry on their repressive measures. A *via media* should be brought about and there ought to be some understanding by which the activities on both sides should be simultaneously stopped. I am unable to agree with the

amendment which my friend, Seth Abdoola Haroon, has tabled, because I personally think, and our experience shows, that it is very difficult to convince the machinery which is known as the Government of India. It is very difficult really to move the Government of India or to satisfy them that the country is calm and the time has arrived when they should withdraw their ordinances and stop their activities. If we could legally appeal in this House to the Viceroy, as the representative of the Crown, I would have been perfectly satisfied because I know what are the feelings of the Viceroy. But when it comes to the Governor General in Council, you do not know what would become of it. Ghalib, that distinguished poet of India, has truly said of them :

*Hamné mana taghaful na karogé.  
Khak hojaingén ham tum ko khaber hone tak.*

which means, "I admit that you will not be guilty of not taking care of our privations, but we would have been reduced to ashes before you turn your attention towards us".

This is really the attitude of the Government of India. As has been pointed out, they do things when it is too late. Really I cannot agree to the amendment which has been proposed by my friend Haji Abdoola Haroon, nor can I agree, after considering the attitude which Mr. Gandhi and his friends have taken after their release, to the amendment which has been tabled by my friend Mr. Amar Nath Dutt. I therefore stick to the wordings of the Resolution itself and lend my wholehearted support to it, but not to the speeches which have been delivered in supporting it.

**Mr. R. S. Sarma** (Nominated Non-Official): Mr. President, I do not want to ruffle anybody's feelings, and I have no idea whatever of adding bitterness to this acrimonious debate, but I must confess that I am disgusted and have got sick of the expression "calm atmosphere" of which we have been hearing so much today. In trying to create what is called "a calm atmosphere", we are really creating, in my opinion, an atmosphere of unreality. It has now become a fashion with most Members of this House to refer, whenever there is a discussion on any political subject, to the "Simon Commission", to a "calm atmosphere", to "the dispassionate consideration of the questions", to the "great speech of the Premier", but I do not understand how these high-sounding words, which practically all the speakers today indulged in, have any reference to the issue before us. Here is a very clear Resolution for the withdrawal of the ordinances and other repressive legislation on the one hand, and a very reasonable amendment by my friend Haji Abdoola Haroon for the same purpose, but stipulating that that should be done practically simultaneously with the withdrawal of the civil disobedience movement. Sir, it is very difficult to understand what objection there can be to the acceptance of this very sensible amendment. I was listening to the speech of the acting, or I think, Sir, to use the technical expression, the Vice-leader of the Opposition. The tenor of his speech was in conformity with the spirit of the amendment. To my mind, Sir, these ordinances, these arrests, these *lathi* charges, are all the inevitable and bitter fruits of this poison tree of civil disobedience, and so long as this poison tree is allowed to exist, no human agency can prevent the poison tree from bearing according to its kind. I think, Sir, that unless the civil disobedience movement is withdrawn once for all, the Government will have no other choice but to resort to these hateful repressive measures which nobody wants.



**Mr. D. K. Lahiri Chaudhury** (Bengal: Landholders): You will have no chance of getting nomination in the Federal Councils at all.

**Mr. R. S. Sarma:** I quite realize that, Sir, I know also that everybody is disgusted with the civil disobedience movement but most of these patriots opposite think that a dramatic gesture, at this juncture, a little display of patriotism, a little cheap playing to the gallery, will be helpful in enabling them to come to the Federal Assembly. But that does not prevent me . . . .

**Mr. Gaya Prasad Singh:** Reproducing his master's voice. (Laughter.)

**Mr. President:** Order, order. I hope Honourable Members will abstain from attributing motives.

**Mr. R. S. Sarma:** Mr. President, I am accustomed to such interruptions, especially from my friend Mr. Gaya Prasad Singh . . .

**Mr. President:** Order, order. Will you please proceed with your remarks?

**Mr. R. S. Sarma:** Sir, the amendment simply says or implies that this repressive legislation should be withdrawn simultaneously with the withdrawal of the civil disobedience movement. When my friend Sir Hari Singh Gour summed up this morning the position on behalf of his party, he said very clearly that the ordinances should be withdrawn, that he himself and most of his party members here and people outside wanted the civil disobedience movement to be called off. If that be so, why should you not support this amendment? The whole situation seems to be this that, while from their places here they have the courage to ask the Government to do this, that and the other thing, they cannot summon sufficient courage to ask the Congress leaders and the leaders of this destructive movement to stop the movement, but in this, I think, Sir, I should congratulate my friend Mr. Shah Nawaz, who was the only Member this afternoon who had the courage to openly condemn the civil disobedience movement and who made a vigorous appeal to the Congress and to those who were connected with it to stop the movement . . . .

**Mian Muhammad Shah Nawaz:** Both to the Congress and the Government.

**Mr. R. S. Sarma:** As regards the Government, I think neither the convincing arguments of my friend Mr. Shah Nawaz nor the eloquence of Sir Hari Singh Gour was necessary to convince the Treasury Benches that it is politically expedient at this time to withdraw these repressive measures. It has been made abundantly clear by the Leader of the House this morning.

I should like, Sir, to refer to one point regarding Bengal to which the Honourable the Deputy President-aspirant from Burdwan referred this morning with great emotion, namely, the *lathi* charges and the police *zoolum* on the Independence Day and said that they disgraced the second city in the Empire! Sir, I was fortunately or unfortunately in Calcutta that afternoon, and I can say this much for the information of this House, that those who were in charge of the civil disobedience movement and the procession that day would have been able to prevent the whole trouble if they only had chosen to do so. During that week all the jute mills were not working and about three lakhs of coolies were on a holiday and were always looking out for some mischief, and the Bengal Provincial Congress

Committee intended to lead a procession with the help of these three lakhs of people. Honourable Members will realise what it means to have three lakhs of men having nothing to do parading the streets of Calcutta. In order to prevent mischief, there was a prohibitory order issued, and the Mayor of Calcutta, in contravention of that order, in spite of the Police Commissioner asking him to co-operate with him to see there was no trouble, disobeyed the order. The Mayor was asking for trouble. All this trouble on the Independence Day would have been avoided if the Congress leaders had really desired it. All their actions on the Independence Day seem to have been governed by one consideration only, namely, how to get for themselves the maximum amount of advertisement and how to get the maximum amount of odium on the Police.

Before I conclude, Sir, I should like to ask Sir Hari Singh Gour whether he could tell us what possible objection he could have to support the amendment of my friend Seth Abdoola Haroon. He was talking about his party this morning here. May I ask him what objection he and his party could possibly have to support this amendment?

Sir, one word more and I have done. I should like to draw the attention of Dr. Gour to a particular statement that has appeared this morning in the Press, from the eminent Leader of the Liberal Party, Sir Chimanlal Setalvad, in which he has said that the thing necessary for the creation of a calm atmosphere for the dispassionate consideration of the constitutional question and the Round Table Conference scheme was the simultaneous withdrawal of the civil disobedience movement and the repressive policy of the Government.

**Mr. B. N. Misra** (Orissa Division: Non-Muhammadan): Sir, the Honourable the Leader of the House just now said that the object of the Congress was the subversion of the Government established by law. I think he has entirely misunderstood the whole object of the Congress. Certainly, the Congress has nowhere done anything to subvert the Government established by law. All that it has preached and is preaching is about the swadeshi movement and the Khaddar movement. Is that tantamount to subversion of Government, I ask? Does it show that the Congress wants a different Government by a different nation? Sir, the Congress also carries on a vigorous propaganda against drinks. Sir, whatever may be the feeling about liquor amongst the European community, Indians are unanimous on the point that drinking of liquor should be stopped. It is only a moral dictate that would compel any people to prohibit liquor, and if the Congress has endeavoured to carry on a propaganda against the evil of drink and to prohibit the sale of drink, does it amount to subversion of Government established by law? If the ladies picketed, have they done anything to subvert Government? It was merely moral preaching. The same thing with regard to salt. We cannot enter into details at the present time, but these are the things that the Congress has done. How can the Honourable the Leader of the House and the Honourable the Home Member then say that it is an action calculated to subvert the Government? Now, take the ordinances. They are never passed by any Legislature. They are made by a particular person for a particular purpose. Therefore, I submit that the whole spirit of the Congress has never been to subvert the Government. On the other hand, the Government have done many things which compel Indians to

[Mr. B. N. Misra.]

resort to measures which are made punishable under the ordinances. In one word, let me say that the Congress is like Ram India fighting against the stealing away of Liberty Sita from India. If Indians want to prepare their own cloth and ask their compatriots not to use foreign cloth, is that a sin? You have a right to ask your brethren, your villagers, your countrymen not to drink. It is a just right; it is a piece of social service; but the Government interpret it as subverting the Government. I do not know what their universities teach them, what their Bible teaches them, or what their law teaches them; but we have been taught in our schools to be temperate, not to smoke cigarettes, not to drink. These are the things which we were taught in our schools and the Government regard them as subversion of Government established by law. I do not know what is meant by subversion of Government. What is the aim of the Congress? Have they done anything to turn out Sir George Rainy, or Sir George Schuster, or any other Member of Government? They have done nothing of the sort. Simply they preach what is natural, what any man with a conscience, with any education, with any knowledge, with any sincerity, would preach. They are described as encouraging violence and things of that sort. Who has done it? It is the Government by these *lathi* charges. You drive innocent people away with *lathis* as if you were *lathials* of petty Zamindars or *goondas*. That has been the attitude of Government in dealing with the Congress or the temperance movement. The Honourable Member told us that there is a no-tax campaign. No no-tax campaign has ever been begun in any part of the country. But Government imagine all sorts of things. You must remember that in this country ladies burned themselves to death to save themselves from violation of their chastity, and no lady will be afraid to do the same on behalf of her country if there be oppression. Let me tell the Government that if you want to suppress ladies, we Indians believe in *Punarjanma*, regeneration, in re-birth. We always believe in the immortality of the soul, and we have been taught by the Bhagavad Gita and other Sastras not to care for these mortal bodies. I ask, have the Government succeeded in suppressing the people anywhere in India? Have they done it in Bombay, in Madras, in the Punjab or anywhere else? Have they killed their spirit? No. On the other hand, this suppressive, repressive or oppressive policy of the Government will only encourage their spirit and they will rise more and more. I am reminded at this stage of our *Chandi judh* where out of a drop of blood that fell up sprang thousands of *Chandis*. I submit, Sir, that the present struggle is one of Ram—India against the stealing of Liberty—Sita by the British policy, by the kind of policy, like Churchillism, or Dyerism or O'Dwyerism. (*An Honourable Member*: "or 'Arthur Mooreism'".) Now, let me say that Mr. Ramsay MacDonald has made a declaration. He has come like Vibhishana to help in the fight of India, and it is for the officials, who have eaten the salt of India, to come and lend their aid. When Queen Victoria assumed the Government of India, she did so under an Act entitled, "For the better Government of India". Do you think that you will have better and better government by imprisoning thousands and thousands of people, or by taking away the liberty of the Indian people? What has the Congress done to destroy the commerce of India, or the industries of India? They have simply said, that foreign goods should not come to this country. That exactly is the thing that India

wants. But what the Commerce Member or the other Members of the Government want is the betterment of their own country, England. Let them place their hands on their breasts, let them feel in their heart of hearts, and say whether the Congress has done anything to harm Indian interests? Sir, I do not think that I need take up the time of the House any more, but I would implore the House to support the Resolution and I would request my Honourable friends Mr. Amar Nath Dutt and Seth Haji Abdoola Haroon to withdraw their amendments.

**Several Honourable Members:** Let the question be now put.

**Sirdar Harbans Singh Brar** (East Punjab: Sikh): I join with my Honourable friends, who have spoken, in the resentment that India feels at the repressive policy now pursued by the Government even after the release of the political leaders by the declaration of the Viceroy. I think that the whole trouble began, as has been previously remarked, with the Simon Commission. My Honourable friend Mr. Arthur Moore said that Mr. Gandhi got a chance, he was invited and he saw the Viceroy, but he did not avail himself of the opportunity. Perhaps my Honourable friend does not realise that Mr. Gandhi understands British diplomacy much better than many others. He asked for an assurance from the Government of India—not from the British Parliament—that they would stand by the demand of India when the time came, and if that assurance came forth, he said that he would take part in the Round Table Conference.

**4 P.M.** He realised, and he said, that the ultimate question lay in the hands of the British Parliament, and that the Government of India could not bind the British Parliament, but that they could commit themselves by saying that they would stand by the demand of the country. After having been given no assurance, he was left with no alternative but to do his level best, as he has been doing, to raise the standard of India in the eyes of the world—morally, materially and politically. Picketing is nothing but peaceful persuasion to better our own lot. America is much richer since prohibition. It has not wholly succeeded, but it will succeed. What Mahatma Gandhi says is that the evil of drink should be stopped. He does not force people, but persuades them. His followers ask the people to give up drink and secondly to boycott foreign cloth. All countries try to improve their own trade, to discourage imports and increase exports. There is no harm in it. What else do they do? They try to press the national demand upon the Government. The Prime Minister has made the statement that if the Congress gives up the civil disobedience movement, "We shall consider what safeguards we want to impose and what we can give India". In the same way, Mahatma Gandhi says, "Let my followers be released, and we shall dispassionately consider what could be done to bring the present situation to a peaceful settlement". The Congress leaders, when their followers are in jail, cannot commit themselves in any way. It would be very difficult for them to do anything without consulting the thousands and thousands of their followers who have gone to jail, are bearing the *lathi* charges and the tortures to which they have been subjected in the jails in the cause of the country. They have a right to be consulted before final terms are settled, and what answer do the Government give? The Government say, "No, let the civil disobedience be stopped and give a definite undertaking that it will not be started again". Once the civil disobedience movement is withdrawn, it will take another ten years to revive it,

[Sirdar Harbans Singh Brar.]

and the Government think that they can have another term of ten years without much trouble. From what we read in the papers, the Congress leaders quite understand the position and they are not going to fall a prey to these things. As for the promises by the Prime Minister, which were so much spoken of, even Lord Lytton admitted that the promises made to the ear have too often been broken to the heart by the Government of India and the British Government. For a complete year, India has been ruled more or less by ordinances alone. There have been no trials. People have been beaten, imprisoned, sentenced and submitted to torture and *lathi* blows, and the recent occurrences in Madras and Calcutta justify the attitude taken up by the Congress that the Government of India have so far not been sincere in their professions. The Resolution passed by the Madras Council justifies it. As regards the treatment of the Press during this year of repression, the attitude of the Government has been one of discrimination. It has gone to the length of condemning as sedition the most innocent phraseology of nationalism. It allows the Anglo-Indian Press day by day to write highly objectionable articles against the children of the soil. While all this is allowed to be done with impunity, the answer given to it by the Indian Press is treated as sedition and as stirring up racial enmity, as bringing the Government into contempt and hatred, and all in the name of the so-called law and order. Freedom of speech is denied. Freedom of writing in the Press is denied. Expression of opinion is punished with very severe sentences of rigorous imprisonment under the ordinances and special laws. Even Mr. Benn has recognised that the:

“greatest of all State interests is the impartiality of the Law. By this is meant not the impartiality of our Courts and jurors alone but the impartiality exhibited by the department of public prosecutions in the initiation of proceedings.”

What we see is that people are taken to the courts. They do not take part in the proceedings and they are sentenced and several thousands have gone to prison in this movement. I would now request the Government and the European Members to take into consideration the widespread feeling in the country. All people outside and the Members in this House, even in the opposite Benches, are not averse to appealing to the Congress to give up the civil disobedience movement, but sitting in this House we can only appeal to the Government because they are represented here. We can only appeal to them to do their part, and outside we shall do our very best to appeal to the Congress to do their level best to bring the present condition to a peaceful settlement. I think the lead given by His Excellency the Viceroy should be followed quite sincerely by the Government of India, and the persons now in jail should be unconditionally released. The Government should give up their steel frame attitude in all matters and respect the feeling of the people. President Wilson remarked that the world is to be made safe for democracy, but what we find from the Members of the Treasury Benches sitting opposite is that what they consider safe for India is only autocracy. I think that after the experience of the national movement for over a year and the sacrifices made and the feelings expressed, it is now time that the Government should give up their attitude and make India safe for democracy by adopting conciliatory methods, by releasing the prisoners unconditionally, who have gone to the jails in the cause of the civil

disobedience movement or in the cause of the national movement which has been going on for the last one year.

**Several Honourable Members:** I move that the question be now put.

**Mr. President:** I think the discussion has proceeded sufficiently long and I leave it to the House to decide whether they wish to proceed with the debate or bring it to a close.

The question is that the question be now put.

**Sir Hari Singh Gour** (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, before the division takes place, I wish to make a motion. I wish to move, Sir, that the discussion on this motion be postponed *sine die*. Both sides, I think, have heard what each has had to say, and I think this is one of those occasions when we must have time to reflect. I therefore move, Sir, for the postponement of this debate *sine die*. (Hear, hear.)

**The Honourable Sir George Rainy:** I am quite ready, Sir, to agree to that motion.

**Mr. President:** Is it the pleasure of the House that, before a division is taken, this motion should be put to the House?

(Several Honourable Members nodded assent.)

I take it, then, that that is the pleasure of the House.

The question is that the consideration of this motion be postponed *sine die*.

The motion was adopted.

**Mr. President:** I should like further to ascertain the view of the House as to whether they wish to proceed with the other Resolutions on the paper or wish me to adjourn the House.

**Several Honourable Members:** Adjourn, adjourn.

**Sir Hari Singh Gour:** We would like an adjournment, Sir. Several of us have been invited and we want to go.

**Maulvi Muhammad Yakub:** Moreover, Sir, this is the month of Ramadan and it will be difficult for the Moslem Members to remain longer.

**Mr. President:** I have tried to ascertain—it being rather early to adjourn—the view of the House before I exercise my privilege of adjourning the House. I should like to know again whether there is a general feeling that the House should now adjourn without dealing with the other Resolutions on the agenda.

**Several Honourable Members:** Adjourn, adjourn.

The Assembly then adjourned till Eleven of the Clock on Monday, the 9th February, 1931.